

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF MAY 15, 2015

(Published May 23, 2015, in *Finance and Commerce*)

CALL TO ORDER

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

On motion by B. Johnson, the agenda was amended to include under the Order of Resolutions a resolution honoring the 2015 Rev. Dr. Martin Luther King, Jr. Essay Contest Winners.

On motion by Glidden, the agenda, as amended, was adopted.

On motion by Glidden, the minutes of the regular meeting of May 1, 2015 were adopted.

On motion by Glidden, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following reports were signed by Mayor Betsy Hodges on May 21, 2015. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the office of the City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following report:

On behalf of the Committee of the Whole, Glidden offered Resolution 2015R-203 appointing Council Member John Quincy as the City's designated representative and Loren Olson, Intergovernmental Relations staff, as the alternate to the MSP Noise Oversight Committee.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-203 By Glidden

Appointing a City representative and alternate to the MSP Noise Oversight Committee.

Whereas, the City of Minneapolis is participating as a member of the MSP Noise Oversight Committee (NOC) with other affected communities and airport user groups to discuss noise abatement measures and to make advisory recommendations to the Metropolitan Airports Commission (MAC) regarding noise issues; and

Whereas, the bylaws of the NOC provide for discussion at meetings only by designated representatives and alternates; and

Whereas, the City of Minneapolis has been represented on the NOC by Council Member John Quincy, and Loren Olson, Government Relations Representative, both of whose terms expire June 26, 2015;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Council Member John Quincy shall be designated as the City's NOC representative, and Loren Olson, shall be designated as an alternate for the City of Minneapolis on the MSP Noise Oversight Committee for two year terms effective June 26, 2015 through June 25, 2017.

Be It Further Resolved that a copy of this resolution be transmitted to the MAC.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-204 authorizing sale of the property at 4039 Aldrich Ave N, Minneapolis, to Amy E. Holubar and Dawn M. Hunt for \$3,800, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2015R-204
By Goodman**

Authorizing sale of land Disposition Parcel VH-495 at 4039 Aldrich Ave N, Minneapolis.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase the Disposition Parcel VH-495, in the Camden neighborhood, from Amy E. Holubar and Dawn M. Hunt, hereinafter known as the Purchasers, the Parcel VH-495, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-495; 4039 Aldrich Avenue North: Lot 5, Block 2, Thomas Morgan's Second Addition to Minneapolis; and

Whereas, the Purchaser has offered to pay the sum of \$3,800 for Parcel VH-495, to the City for the land; and

Whereas, the Purchaser has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has determined the offer of \$3,800 to purchase the Parcel to be reasonable; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the City's accepted methods in determining a re-use value for the Parcel; and

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on April 24, 2015, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on May 5, 2015, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for the VH-495 is hereby estimated to be the sum of \$3,800.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions:

- 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City;
- 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline; and
- 3) a conservation easement will be placed on the parcel.

Be It Further Resolved that the sale conditions 1 and 2 described above may be waived or amended with the approval of the CPED Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with

the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-205 authorizing sale of the property at 1418 Sheridan Ave N, Minneapolis, to City of Lakes Community Land Trust for \$1.00, plus reimbursement of City costs of \$5,415, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-205
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-815 at 1418 Sheridan Ave N, Minneapolis.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-815 in the Willard-Hay Neighborhood, from City of Lakes Community Land Trust, hereinafter known as the Redeveloper, the Parcel TF-815 being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-815; 1418 Sheridan Avenue North: Lot 20, Block 3, South Lawn Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$1 plus the reimbursement of City costs of \$5,415 for Parcel TF-815; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, April 24, 2015, a public hearing on the proposed sale was duly held on May 5, 2015, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

MAY 15, 2015

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$7,500 for Parcel TF-815.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions:

- 1) land sale closing must occur on or before 90 days from the date the City receives title; and
- 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

Be It Further Resolved that upon publication of this Resolution the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-206 authorizing sale of the property at 2523 Washington St NE, Minneapolis, to Greater Metropolitan Housing Corporation for \$20,300, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-206
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel VH-573 at 2523 Washington St NE, Minneapolis.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel VH-573, in the Holland neighborhood, from Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcel VH-573, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-573; 2523 Washington Street NE: Lot 19, Block 4, Leavitt's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$20,300 for Parcel VH-573 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on April 24, 2015, a public hearing on the proposed sale was duly held on May 5, 2015, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing plan, as amended, is hereby estimated to be the sum of \$20,300 for Parcel VH-573.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions:

- 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and
- 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

CD&RS - Your Committee, having under consideration the Rental Dwelling License held by Margot Kapacs for property at 3324 23rd Ave S, Minneapolis, and a hearing having been held before an Administrative Hearing Officer who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked, now recommends approval of the recommendation to revoke said license for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances, and that said Findings on file in the office of the City Clerk be adopted and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in Petition No. 278343 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 5/15/2015.

(Published 5/19/2015)

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-207 rescinding Resolution 2012R-182 entitled "Approving Business License Operating Conditions relating to the Off-Sale Liquor License held by Stinson Wine & Spirits, LLC, 2315 18th Ave NE," passed April 13, 2012.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-207
By Goodman

Rescinding Resolution No. 2012R-182 entitled “Approving Business License Operating Conditions relating to the Off-Sale Liquor License held by Stinson Wine & Spirits, LLC, 2315 18th Ave NE,” passed April 13, 2012.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be and is hereby rescinded, as follows:

~~That it grants the application submitted by Stinson Wine, Beer & Spirits LLC, dba Stinson Wine & Spirits, 2315 18th Ave NE, for an Off-Sale Liquor License (new business) to expire April 1, 2013, subject to the following conditions:~~

- ~~1. Stinson Wine & Spirits shall not allow sales of alcoholic beverages in containers of 100 milliliters or less.~~
- ~~2. Stinson Wine & Spirits shall not allow sales of individual containers of alcoholic beverages less than \$3.~~
- ~~3. Stinson Wine & Spirits shall not allow sales of alcoholic beverages in growlers or refilling of growlers.~~
- ~~4. Stinson Wine & Spirits shall not allow sales of 40 ounce beers.~~
- ~~5. Stinson Wine & Spirits shall only be open to the public from 9:00 a.m. to 9:00 p.m. Monday through Thursday and from 9:00a.m. to 10:00 p.m. Friday and Saturday.~~
- ~~6. Stinson Wine & Spirits shall not allow sales of lottery tickets.~~
- ~~7. Stinson Wine & Spirits will submit a final merchandising plan to Planning staff for review and approval. No shelving, signage, merchandise, newspaper racks or other mechanisms shall be placed in front of the required ground level transparent windows.~~
- ~~8. Stinson Wine & Spirits shall comply with the specific development standards for a liquor store, off-sale, as defined by Chapter 536.20 of the Zoning Code.~~
- ~~9. Stinson Wine & Spirits shall comply with the window sign provision as stated in Chapter 543.480 of the Zoning Code.~~
- ~~10. Final inspection and compliance with all provisions of applicable codes and ordinances.~~

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-208 Approving Business License Operating Conditions relating to the Off Sale Liquor License held by Stinson Wine & Spirits, LLC, 2315 18th Ave NE, Minneapolis.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-208
By Goodman

Approving Business License Operating Conditions relating to the Off Sale Liquor License held by Stinson Wine & Spirits, LLC, 2315 18th Ave NE, Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Off Sale Liquor License held by Stinson Wine & Spirits, LLC, 2315 18th Ave NE, Minneapolis:

1. Stinson Wine, Beer & Spirits shall not allow sales of alcoholic beverages in growlers, or refilling of growlers.
2. Stinson Wine, Beer & Spirits shall not allow sales of 40 ounce beers.
3. Stinson Wine, Beer & Spirits shall not allow sales of lottery tickets.
4. Stinson Wine, Beer & Spirits will submit a final merchandising plan to Planning Staff for review and approval. No shelving, signage, merchandise, newspaper racks or other mechanisms shall be placed in front of the required ground level transparent windows.
5. Stinson Wine, Beer & Spirits shall comply with the specific development standards for a liquor store, off-sale, as defined by Chapter 536.20 of the Zoning Code.
6. Stinson Wine, Beer & Spirits shall comply with the window sign provisions as stated in Chapter 543.480 of the Zoning Code.
7. Final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

CD&RS – Your Committee recommends approval of the agreement with holders of Sidewalk Cafe Licenses on Nicollet Mall allowing them to intermittently operate the next two years during Nicollet Mall reconstruction when construction is not in the immediate vicinity of the cafe. The City reserves the right to order removal of any sidewalk cafe on Nicollet Mall with a seven day notice. Subject Sidewalk Cafe License holders are as follows: Tenth Street Convenience, 50 10th St S; Caribou Coffee, 555 Nicollet Mall; McCormick & Schmicks, 800 Nicollet Mall; La Belle Crepe, 825 Nicollet Mall; Zelo, 831 Nicollet Mall; Dunn Bros Coffee, 901 Nicollet Mall; Ling & Louie's, 921 Nicollet Mall; Barrio, 925 Nicollet Mall; The Local, 931 Nicollet Mall; The News Room, 990 Nicollet Mall; Dakota

Jazz Club, 1010 Nicollet Mall; Chipotle, 1040 Nicollet Mall; Masa, 1070 Nicollet Mall; Vincent, 1100 Nicollet Mall; Brit's Pub, 1110 Nicollet Mall; and Caribou Coffee, 1116 Nicollet Mall.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS – Your Committee recommends that the proper City officers be authorized to negotiate contracts for Great Street Business District support activities consistent with the recommendations contained in the Department of Community Planning & Economic Development staff report, as follows:

Proposer	Recommended
38th & Chicago Business Association	\$4,750
Dinkytown Business Alliance	\$32,700
East Downtown Council	\$25,000
Franklin Area Business Association	\$15,000
Hennepin Theatre Trust	\$29,500
Lake Street Council	\$29,000
Latino Economic Development Center	\$30,000
Longfellow Business Association	\$10,000
Lowry Corridor Business Association (Project for Pride in Living)	\$21,350
Mercado Central	\$30,000
Metro Blooms	\$19,200
Midtown Global Market	\$24,000
Midtown Greenway Coalition	\$39,000
Native American Community Development Institute	\$23,000
Nicollet-East Harriet Business Association	\$39,900
Patrick's Cabaret	\$18,450
Seward Redesign	\$39,700
West Bank Business Association	\$42,500
West Broadway Business and Area Coalition	\$37,500
West Market District Business Association (Northside Residents Redevelopment Council)	\$31,750

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS – Your Committee recommends confirmation of the Mayoral appointment of Senta Leff to the Family Housing Fund Board of Directors, for the 2015-2018 term.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following reports:

On behalf of the Community Development & Regulatory Services and Ways & Means Committees, Goodman offered Ordinance 2015-Or-012 amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees, discontinuing the practice of having the refund processing fee tied to an annual rate increase, establishing the director's fee schedule with adjusted fees effective April 1, 2015, and removing the automatic annual minimum adjustment of three percent.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-012
By Quincy
Intro & 1st Reading: 3/20/2015
Ref to: CD&RS & W&M
2nd Reading: 5/15/2015

Amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 91.15 of the above-entitled ordinance be amended to read as follows:

91.15. Fee refunds. ~~(a) There shall be no refund of any permit fee or plan checking fee collected by the city in accordance with this chapter when the amount of the fee so collected is equal to or less than the minimum fee established in section 91.40 and the director's fee schedule. However, claims for full refund of permit fees only, based on Construction Code Services Division of the Community Planning Economic Development (CPED) Department error, may be granted. Refunds of any permit-related fees collected by the city in accordance with this chapter are as follows:~~

(1) Full refunds may be granted due to Community Planning and Economic Development (CPED) errors.

(2) If none of the work authorized by a permit has started, a fifty dollar (\$50) processing fee will be retained by the city. The remainder of the fees will be refunded to the permit applicant.

(3) If any of the work authorized by a permit has started, the department may retain a percentage of the fee for such permit equal to the percentage of work completed in addition to the processing fee.

(b) All claims for refunds of permit fees in accordance with this section shall be made to the building official within one hundred eighty (180) calendar days of the payment of said fees.

~~(c) For permits which are cancelled after issuance, where no authorized work has begun, a refund of fifty (50) percent of the permit fees claimed in excess of the minimum fee established in section 91.40 may be granted less a processing fee as established pursuant to section 91.70; in no case shall such fees retained by the city exceed a maximum retained fee as specified in section 91.70, if no work has been started. If any work authorized by a permit has been started, the department may retain a percentage of the fee for such permit over and above the maximum retained fee set out herein commensurate with the percentage of the work completed.~~

~~(d)~~ (c) The building official shall cause to be placed in the office where permits are to be obtained notices of such size and readability that persons making application for permits and paying the fees therefor shall be notified of the refund policies of the department.

~~(e)~~ (d) Refunds due under the foregoing provisions shall be made upon written request of the permit applicant. The city finance officer shall refund such monies by issuing a check to the applicant for the refund amount due, upon receipt of a check request approved by the building official. Said request shall contain the name and address of the permit applicant, the permit number, and the amount of refund due under this section.

Section 2. That Section 91.70 of the above-entitled ordinance be amended to read as follows:

91.70. Unit based and valuation categories permit fee adjustment; fee schedule.

(a) The minimum fee as shown in section 91.40 and certificate, permit, service or other fees calculated on a unit item or other basis, as shown in sections 46.40, 48.310, 50.70, 56.110, 59.30, 59.40, 59.50, 91.15, 91.20, 91.35, 91.55, 91.105, 91.115, 91.120, 91.150, 91.190, 91.220, 91.270, 91.380, 91.390, 91.410, 91.460, 91.465, 91.610, 91.620, 91.740, 91.750, 91.770, 91.780, 91.900, 108.30, 174.500, 249.80, and 389.105 shall be subject to ~~automatic an~~ adjustment based on annual increases in the construction cost index (CCI) for the City of Minneapolis as published quarterly by the Engineering News Record. Such adjustment, up to the CCI and rounded off to the nearest one (1) percent, shall be effective on April first of each year based on the construction cost index for the period ending December 31 of the preceding calendar year. Thereafter the director's fee schedule shall be subject to ~~automatic an~~ annual adjustment pursuant to the terms of subsection (a) and shall be made available to the public at least thirty (30) days prior to going into effect. ~~In the event CCI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent.~~

(b) The city shall publish, maintain and make available to the public via all readily available means, including posting to the city's designated Internet site(s), a schedule of all such fees referenced in subsection (a). Such schedule shall be titled the fee schedule and shall be promptly revised and updated by the building official on April first of each year. The council shall approve the initial fee schedule to be effective April 1, 2004. Thereafter the fee schedule shall be subject to ~~automatic an~~ annual adjustment pursuant to the terms of subsection (a) and shall be made available to the public at least thirty (30) days prior to going into effect.

(c) The building permit fee amounts herein established shall be effective April 1, 2004 and shall be subject to ~~automatic an~~ annual adjustment each April first thereafter in a percentage up to equal to the annual increases in the consumer price index (CPI) for the period ending December 31 of the preceding calendar year. ~~In the event CPI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent.~~ Such building permit fees and subsequently adjusted building permit fees shall be published and maintained in the fee schedule referenced in section 91.70 and shall be based on the following valuation categories:

Valuation Categories

\$1.00 to \$500.00

\$501.00 to \$2,000.00

\$2,001.00 to \$25,000.00

\$25,001.00 to \$50,000.00

\$50,001.00 to \$100,000.00

\$100,001.00 to \$500,000.00

\$500,001.00 to \$1,000,000.00
\$1,000,001.00 and up

Section 3. That Section 91.90 of the above-entitled ordinance be and is hereby repealed.

91.90. Required generally. ~~(a) The city before issuing (1) any permit for the wrecking, moving, raising and holding or erection of any building or structure, or portion thereof, (2) any permit for an addition to any existing building or structure or for any alterations or repairs to any existing building or structure, or (3) any annual maintenance permit as provided for in the Minnesota State Building Code, upon application therefor, shall require the payment by the applicant for such permit of value-based fees in the amounts herein set forth.~~

~~(b) Building valuation for the purpose of establishing building permit fees shall be as set forth by the valuation data published by the Building Code Division, Department of Administration, State of Minnesota, as may be amended from time to time, or the applicant's value, including all labor and materials, whichever greater. The valuation to be used in computing the permit and plan-check fees shall be the total contract price of all construction or maintenance work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work or permanent equipment. Nothing in this method of determining valuation for building permit fees shall be construed as supplementing or decreasing the fees for other permits required by this Code.~~

~~(c) The building permit fee amounts herein established shall be effective April 1, 2004 and shall be subject to automatic an annual adjustment each April first thereafter in a percentage equal to annual increases in the consumer price index (CPI) for the period ending December 31 of the preceding calendar year. In the event CPI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent. Such building permit fees and subsequently adjusted building permit fees shall be published and maintained in the fee schedule referenced in section 91.70 and shall be based on the following valuation categories:~~

Valuation Categories

~~\$1.00 to \$500.00
\$501.00 to \$2,000.00
\$2,001.00 to \$25,000.00
\$25,001.00 to \$50,000.00
\$50,001.00 to \$100,000.00
\$100,001.00 to \$500,000.00
\$500,001.00 to \$1,000,000.00
\$1,000,001.00 and up~~

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

CD&RS & W&M – Your Committee recommends approval of funding for 2015 Housing Opportunities for Persons with AIDS (HOPWA) entitlement grant to Minnesota AIDS Project (MAP) not to exceed \$504,500, and to Metropolitan Council Housing and Redevelopment Authority (Metro

HRA) not to exceed \$503,613, and that the proper City officers be authorized to execute the contracts with MAP and Metro HRA, as necessary to implement the City's 2015 HOPWA grant program.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT Committee submitted the following reports:

On behalf of the Health, Environment & Community Engagement Committee, Gordon offered Resolution 2015R-209 reconstructing the Senior Citizen Advisory Committee as the Minneapolis Advisory Committee on Aging; and Rescinding Resolution 99R-025 entitled "Restructuring the Senior Citizen Advisory Board", as amended.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2015R-209
By Quincy and Gordon**

Reconstructing the Senior Citizen Advisory Committee as the Minneapolis Advisory Committee on Aging; and Rescinding Resolution 99R-025 entitled "Restructuring the Senior Citizen Advisory Board", as amended.

Whereas, according to 2013 American Community Survey data, 25 percent of the City of Minneapolis population is age 50 and older; and

Whereas, the projection from the State of Minnesota Demographer's Office predicts that in the next 5 years, this population will grow by 20 percent; and

Whereas, in 2013 the City Council approved the Minneapolis for a Lifetime Strategy which recognizes that seniors are key to our City's present and future and include maximizing the talents and wisdom they bring to their communities by keeping seniors in the community; and

Whereas, in the past the City of Minneapolis has benefited from the work of the existing Senior Citizen Advisory Committee and desires to better align the structure of this committee to the Minneapolis for a Lifetime Strategy and the current needs of the aging community;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Senior Citizen Advisory Committee is hereby reconstructed as the Minneapolis Advisory Committee on Aging and will consist of seventeen members. Thirteen members will be qualified older adults, one from each City Ward, and four shall be qualified older adults as Members-at-Large. A qualified older adult is a City of Minneapolis resident who is age 50 or older. Members shall serve for two-year terms. Terms shall be deemed to run from the first Monday of January in the year of appointment, and shall end when a successor has been duly appointed and has accepted the position. Seven appointments shall begin on January 1 of odd numbered years and six appointments on January 1 of even numbered years; at-large terms

shall begin on January 1. Members may not serve more than three consecutive terms. Service prior to this reconstruction shall not count as one of the consecutive terms.

Be It Further Resolved that members shall be selected by the open appointments process. The Mayor and the City Council President shall recommend applicants to the City Council for approval.

Be It Further Resolved that the reconstructed Minneapolis Advisory Committee on Aging shall:

- a. Inform itself about community issues that affect older adults.
- b. Act in the interests of older adults generally and avoid acting in the interests of particular groups or individuals.
- c. Identify and explore common issues with suburban service providers and elected officials.
- d. Network and educate elected officials on the importance of selected policy issues relating to older adults and an aging population using national, state and local research to build upon the Minneapolis for a Lifetime Strategy.
- e. Advise and suggest to the City Council, Mayor, and City Departments best practices, services, programs, and activities that promote a healthy and vibrant aging community.

Be It Further Resolved that Resolution 99R-025 entitled "Reconstructing the Senior Citizen Advisory Board", passed by the City Council February 5, 1999, and amended by Resolution 2010R-147 passed April 16, 2010, be and is hereby rescinded.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

HE&CE - Your Committee recommends the following Mayoral/Council President appointments to the Minneapolis Senior Citizen Advisory Committee:

<u>Name</u>	<u>Term # of Years</u>	<u>Term</u>	<u>Replacing</u>
Diane Sprague Member at Large	2 years	01/01/2015 - 12/31/2016	New Seat
Charlie Lakin Ward 2	2 years	01/01/2015 - 12/31/2017	Filling unexpired term of Thomas Leavey
Flo Castner Ward 5	2 years	01/01/2015 - 12/31/2017	Filling unexpired term of Fay Harrison
Paulette Will Ward 10	2 years	01/01/2015 - 12/31/2016	Long Standing Vacancy

Hazel Tanner
Ward 11

2 years

01/01/2015 - 12/31/2017

Herb Nelson

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following report:

HE&CE & W&M - Your Committee recommends that the proper City officers be authorized to amend Contract No. 37842 with the Minneapolis Highrise Representative Council, to add up to an additional \$50,000 to the contract, for a revised total amount not to exceed \$100,000, to expand the scope of the current work and extend the contract termination date from October 2015 to December 31, 2015, for a new contract period of January 1, 2014, through December 31, 2015.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following reports:

PSCR&EM & W&M – Your Committee recommends that the proper City officers be authorized to execute an annual contract agreement with IBM in the amount of \$16,000, for the licensing, servicing and training of a video analytics system to be used as a pilot program in the Police Department, for a total system cost of \$100,000, provided from an Urban Area Security Initiative grant.

On motion by Yang, the following report was substituted for the above report:

PSCR&EM & W&M – Your Committee recommends that the proper City officers be authorized to execute an annual contract agreement with IBM in the amount of \$84,000, for the implementation, servicing and training of a video analytics system to be used as a pilot program in the Police Department, for a total system cost of \$100,000, of which all will be provided from an Urban Area Security Initiative grant.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The substitute report was adopted.

PSCR&EM & W&M - Your Committee recommends that the proper City officers be authorized to accept grant funds from the Minnesota Department of Public Safety in the amount of \$156,000, and to execute a grant agreement with them in the same amount for the Police Department to add a DWI Officer to the Traffic Unit, and for the purchase of an equipped police vehicle. Further, passage of Resolution 2015R-210 appropriating said funds to the Police Department.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-210
By Yang and Quincy

Amending the 2015 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Federal Grants Fund (01300-4002730) by \$156,000, and increasing the revenue source (01300-4002730-321012) by \$156,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The TAXES Committee submitted the following report:

Taxes - Your Committee recommends approval of the report of the 2015 Minneapolis Board of Appeal and Equalization Special Board of Review, as set forth in Petn No. 278356 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2015R- 211 declaring the week of May 17, 2015, as National Public Works Week.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-211
By Reich, Palmisano, Gordon, Frey, B. Johnson, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, and A. Johnson

Declaring the week of May 17, 2015, as National Public Works Week.

Whereas, the American Public Works Association (APWA) will celebrate the 55th Annual National Public Works Week, which will be held the third week in May with the theme “Community Begins Here”; and

Whereas, National Public Works Week is a celebration of the men and women who play a crucial role and are dedicated in strengthening our community, designing and maintaining infrastructures, and improving our quality of life; and

Whereas, public works services provided in our community are an integral part of our citizens’ everyday lives; and

Whereas, the department facilitated over 100 meetings in the community to engage residents and stakeholders regarding recycling, bikeways, street paving, redesign and reconstruction projects; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets, and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff the public works department is materially influenced by the people’s attitude and understanding of the importance of the work they perform;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council acknowledges the significant daily contribution that the employees within the Public Works Department of the City of Minneapolis provide to the citizens and businesses throughout the City during National Public Works Week.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

T&PW - Your Committee recommends that the proper City officers be authorized to execute a Cooperative Agreement with the Minnehaha Creek Watershed District and the Minneapolis Park and Recreation Board (MPRB) to identify and evaluate potential reconfigurations of the Lake Hiawatha Golf Course in an effort to best serve the shared goals of the parties, including drainage system and water quality improvements, while maintaining the MPRB’s needs for the golf course. Each party will bear its own costs and no money will be transferred between the parties under this agreement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 5/15/2015.

(Published 5/19/2015)

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS Committees submitted the following reports:

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-212 ordering the work to proceed and adopting the special assessments for the 26th St E and 28th St E Street Resurfacing Project, Special Improvement of Existing Street No. 5277 as part of the 2015 Street Resurfacing Program.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2015R-212
By Reich and Quincy**

**2015 STREET RESURFACING PROGRAM
26TH ST E AND 28TH ST E STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5277**

Ordering the work to proceed and adopting the special assessments for the 26th St E and 28th St E Street Resurfacing Project.

Whereas, a public hearing was held on May 5, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2015R-147, passed April 3, 2015, to consider the proposed special assessments as on file in the office of the City Clerk, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2015R-147, passed April 3, 2015.

Be It Further Resolved that the proposed special assessments in the total amount of \$671,170.32 for the 26th St E and 28th St E Street Resurfacing Project No. 5277, as on file in the office of the City Clerk, are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to begin on the 2016 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to be on the 2016 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

MAY 15, 2015

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-213 requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$671,175 for certain purposes other than the purchase of public utilities.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-213
By Reich and Quincy

Requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$671,175 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed costs of street improvements in the 26th St E and 28th St E Street Resurfacing Project, Special Improvement of Existing Street No. 5277, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in five (5) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-214 ordering the work to proceed and adopting the special assessments for the Minnehaha Ave Street Reconstruction Project, Special Improvement of Existing Street No. 6754.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-214
By Reich and Quincy

MINNEHAHA AVE STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 6754

Ordering the work to proceed and adopting the special assessments for the Minnehaha Ave Street Reconstruction Project.

Whereas, a public hearing was held on May 5, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2015R-149 passed April 3, 2015, to consider the proposed special assessments as on file in the office of the City Clerk, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2015R-149 passed April 3, 2015.

Be It Further Resolved that the proposed special assessments in the total amount of \$764,807.45, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2016 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2016 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-215 requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$764,810 for certain purposes other than the purchase of public utilities.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-215
By Reich and Quincy

Requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$764,810 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Minnehaha Avenue Street Reconstruction Project, Special Improvement of Existing Street No. 6754, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-216 ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction projects in the Minnehaha Ave project area.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-216
By Reich and Quincy

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction projects in the Minnehaha Ave project area.

Whereas, the City of Minneapolis has scheduled the reconstruction starting in 2015 in the Minnehaha Ave project area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on May 5, 2015, in accordance with Minneapolis Code of Ordinances, Section 95.90, to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along both sides of Minnehaha Ave from the intersection of 26th St E through 24th St E intersection.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-217 ordering the work to proceed and adopting the special assessments for the Nicollet Mall Street Reconstruction Project, Special Improvement of Existing Street No. 9916.

On a motion by Reich, the resolution was amended to remove from the assessment roll parcels owned by the Federal Reserve Bank of Minneapolis in the total amount of \$267,841.83, as they are exempt from special assessment under Federal Law, and to allow the payment period for the proposed special assessment against the property located at 15 South 1st Street, Unit No. A807 (PID No. 23-029-24-32-0147), to be extended from one (1) year to twenty (20) years, at the property owner's request.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2015R-217
By Reich and Quincy**

**NICOLLET MALL STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 9916**

Ordering the work to proceed and adopting the special assessments for the Nicollet Mall Street Reconstruction Project.

Whereas, a public hearing was held on May 5, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2015R-148 passed April 3, 2015, to consider the proposed special assessments as on file in the office of the City Clerk, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2015R-148 passed April 3, 2015.

Be It Further Resolved that the parcels owned by the Federal Reserve Bank of Minneapolis in the total amount of \$267,841.83 as listed below be removed from the assessment roll:

22-029-24-14-0052	\$ 5,273.38
23-029-24-23-0072	260,961.75
23-029-24-23-0073	667.13
23-029-24-23-0074	124.41
23-029-24-23-0075	37.33
23-029-24-23-0076	52.87
23-029-24-23-0077	711.95
23-029-24-23-0079	13.01

Be It Further Resolved that the proposed special assessments as on file in the office of the City Clerk in the total amount of \$25,901,175.66, reduced from \$26,169,017.49, because of the removal of the above listed parcels, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the special assessment payment term for the property identified as PID 23-029-24-32-0147, located at 15 1st St S, Unit No. A807, in the amount of \$88.04 be extended from one (1) year to twenty (20) years.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to begin on the 2017 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to be on the 2017 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution, as amended, was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-218 requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds for certain purposes other than the purchase of public utilities.

On motion by Reich, the resolution was amended to reduce the amount of assessment bonds sold for the project to \$25,901,180.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-218
By Reich and Quincy

Requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$25,901,180 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Nicollet Mall Street Reconstruction Project, Special Improvement of Existing Street No. 9916, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution, as amended, was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-219 ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction projects in the Nicollet Mall project area.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-219
By Reich and Quincy

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction projects in the Nicollet Mall project area.

Whereas, the City of Minneapolis has scheduled the reconstruction starting in 2015 in the Nicollet Mall project area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on May 5, 2015, in accordance with Minneapolis Code of Ordinances, Section 95.90, to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along both sides of Nicollet Mall from Washington Ave S to Grant St E.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

T&PW & W&M - Your Committee recommends that the proper City officers be authorized to execute an agreement with the University of Minnesota for the 8th St SE Street Reconstruction and Street Lighting Project No. 2283, from 15th Ave SE to approximately 1,100 feet east where the street will end in a cul-de-sac.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 5/15/2015.

(Published 5/19/2015)

T&PW & W&M - Your Committee, having under consideration 2015 Grant Agreements with the Metropolitan Council and the Downtown Minneapolis Transportation Management Organization (TMO), now recommends:

- a) Authorizing the proper City officers to execute Metropolitan Council Pass-Through “Subrecipient Grant Agreement No. SG-2014-075” between the Metropolitan Council and the City of Minneapolis to provide up to \$413,623 in federal grant funding (FTA-CMAQ) for Transportation Demand Management (TDM) projects in effect for the period of January 1, 2015, through December 31, 2015;
- b) Authorizing the proper City officers to execute FTA Fiscal Year 2015 Certifications and Assurances (which certify that the City is in compliance with the provisions of law enumerated therein) and authorizing execution of any subsequent editions of the Certifications and Assurances as required and certifying compliance with the “Specific Federal Requirements” and other documents as required pursuant to the terms of Subrecipient Grant Agreement SG-2014-075;
- c) Authorizing the proper City officers to execute City Agreements with the Downtown Minneapolis Transportation Management Organization (TMO) to perform specific work efforts as outlined in and in accordance with Met Council Contract SG-2014-075 that provides up to \$413,623 in federal grant funding in effect for the period of January 1, 2015, through December 31, 2015; and
- d) Passage of Resolution 2015R-220 increasing the appropriation and revenue in the Permanent Improvement Projects Fund by \$413,623.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-220
By Reich and Quincy

Amending The 2015 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works-Permanent Improvement Projects Fund (01300-9020932) by \$413,623 and increasing the revenue source (01300-9010943-Source 321050) by \$413,623.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The WAYS & MEANS Committee submitted the following reports:

W&M - Your Committee, to whom was referred an ordinance amending Appendix H of the Minneapolis Code of Ordinances relating to Minneapolis Cable Communication Franchises and adopting and granting new Cable Franchise between the City of Minneapolis, Minnesota and Qwest Broadband Services, Inc., D/B/A CenturyLink, now recommends that Ordinance 2015-Or-013 be given its second reading for amendment and passage.

Further, that the Findings of Fact and Recommendation as prepared by the City Attorney related to the CenturyLink Cable Franchise Application be adopted.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-013
By Quincy
Intro & 1st Reading: 4/3/2015
Ref to: W&M
2nd Reading: 5/15/2015

Amending Appendix H of the Minneapolis Code of Ordinances relating to the Minneapolis Cable Communication Franchises and adopting and granting new Cable Franchise between the City of Minneapolis, Minnesota and Qwest Broadband Services, Inc., D/B/A CenturyLink.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Appendix H of the Minneapolis Code of Ordinances be amended by adding a new Chapter 2 to read as follows:

THIS CABLE FRANCHISE AGREEMENT (the “Franchise Agreement”) is entered into by and between the City of Minneapolis, Minnesota (“City”), a municipal corporation, and Qwest Broadband Services, Inc., d/b/a CenturyLink a wholly owned subsidiary of CenturyLink, Inc. (hereinafter, “Grantee”).

Section 1. Scope of Franchise

1.1 Grant of Franchise. (a) The City hereby grants to Grantee, a Delaware corporation having its principal place of business in Minnesota in Minneapolis, a non-exclusive Franchise to install, construct, operate and maintain a cable communications system to provide cable service under such terms and conditions as are set forth in this Franchise. This franchise does not grant Grantee any right of eminent domain.

(b) Nothing in this Franchise shall be deemed to waive the lawful requirements of any generally applicable City ordinance existing as of the Effective Date.

(c) Each and every term, provision or condition herein is subject to the provisions of state law, federal law, the Charter of the City, and the ordinances and regulations enacted pursuant thereto. The Charter and Code of Ordinances of the City, as the same may be amended from time to time, are hereby expressly incorporated into this Franchise as if fully set out herein by this reference. Notwithstanding the foregoing, the City may not unilaterally alter the material rights and obligations of Grantee under this Franchise.

(d) This Franchise shall not be interpreted to prevent the City from imposing additional lawful conditions, including additional compensation conditions for use of the Rights-of-Way, should Grantee provide service other than cable service.

(e) The parties acknowledge that Grantee intends that Qwest Corporation (“QC”), an affiliate of Grantee, will be primarily responsible for the construction and installation of the facilities in the Rights-of-Way, constituting the cable communications system, which will be utilized by Grantee to provide cable service. Grantee promises, as a condition of exercising the privileges granted by this Franchise, that any affiliate of the Grantee, including QC, directly or indirectly involved in the construction, management, or operation of the cable communications system will comply with all

applicable federal, state and local laws, rules and regulations regarding the use of the City's rights of way. The City agrees that to the extent QC violates any applicable laws, rules and regulations, the City shall first seek compliance directly from QC. In the event, the City cannot resolve these violations or disputes with QC, or any other affiliate of Grantee, then the City may look to Grantee to ensure such compliance. Failure by Grantee to ensure QC's or any other affiliate's compliance with applicable laws, rules and regulations shall be deemed a material breach of this Franchise by Grantee. To the extent Grantee constructs and installs facilities in the rights-of-way, such installation will be subject to the terms and conditions contained herein.

(f) No rights shall pass to Grantee by implication. Without limiting the foregoing, by way of example and not limitation, this Franchise shall not include or be a substitute for:

(1) Any other permit or authorization required for the privilege of transacting and carrying on a business within the City that may be required by the ordinances and laws of the City;

(2) Any permit, agreement, or authorization required by the City for right-of-way users in connection with operations on or in rights-of-way or public property including, by way of example and not limitation, street cut permits; or

(3) Any permits or agreements for occupying any other property of the City or private entities to which access is not specifically granted by this Franchise including, without limitation, permits and agreements for placing devices on poles, in conduits or in or on other structures.

(g) This Franchise is intended to convey limited rights and interests only as to those rights-of-way in which the City has an actual interest. It is not a warranty of title or interest in any right-of-Way; it does not provide the Grantee with any interest in any particular location within the right-of-Way; and it does not confer rights other than as expressly provided in the grant hereof.

(h) This Franchise does not authorize Grantee to provide telecommunications service, or to construct, operate or maintain telecommunications facilities. This Franchise is not a bar to imposition of any lawful conditions on Grantee with respect to telecommunications, whether similar, different or the same as the conditions specified herein. This Franchise does not relieve Grantee of any obligation it may have to obtain from the City an authorization to provide telecommunications services, or to construct, operate or maintain telecommunications facilities, or relieve Grantee of its obligation to comply with any such authorizations that may be lawfully required.

1.2 Franchise Area. This Franchise is granted for the entire corporate boundaries of the City as of the Effective Date, and shall also include any additions thereto, by annexation or other legal means during the term of the Franchise.

(a) *Reasonable Build-Out of the Entire City.* The Parties recognize that Grantee, or its affiliate, has constructed a legacy communications system throughout the City that is capable of providing voice grade service. The Parties further recognize that Grantee or its affiliate must expend a significant amount of capital to upgrade its existing legacy communications system and to construct new facilities to make it capable of providing cable service. Further, there is no promise of revenues from cable service to offset these capital costs. The Parties agree that the following is a reasonable build-out schedule taking into consideration Grantee's market success and the requirements of Minnesota state law.

(1) Complete Equitable Build-Out. Grantee aspires to provide cable service to all households within the City by the end of the initial term of this Franchise. In addition, Grantee commits that a significant portion of its investment will be targeted to areas below the median income in the City.

(2) Initial Minimum Build-Out Commitment. Grantee agrees to be capable of serving a minimum of fifteen percent (15%) of the City's households with cable service during the first two (2) years of the initial Franchise term, provided, however that Grantee will make its best efforts to complete such deployment within a shorter period of time. This initial minimum build-out commitment shall include deployment to households in every Ward in the City and to a significant number of households below the medium income in the City. Nothing in this Franchise shall restrict Grantee from serving additional households in the City with cable service;

(3) Quarterly Meetings. Commencing January 1, 2016, and continuing throughout the term of this Franchise, Grantee shall meet quarterly with the Cable Officer of the City. At each quarterly meeting, Grantee shall present information acceptable to the City (to the reasonable satisfaction of the City) showing the number of households Grantee is presently capable of serving with cable service and the number of households that Grantee is actually serving with cable service. Grantee shall also present information acceptable to the City (to the reasonable satisfaction of the City) that Grantee is equitably serving all portions of the City in compliance with section 1.3 below. In order to permit the City to monitor and enforce the provisions of this section and other provisions of this Franchise, the Grantee shall promptly, upon reasonable demand, show to the City (to the City's reasonable satisfaction) maps and provide other documentation showing exactly where within the City the Grantee is currently providing cable service;

(4) Additional Build-Out Based on Market Success. If, at any quarterly meeting, Grantee is actually serving twenty seven and one-half percent (27.5%) of the households capable of receiving cable service, then Grantee agrees the minimum build-out commitment shall increase to include all of the households then capable of receiving cable service plus an additional fifteen (15%) of the total households in the City, which Grantee agrees to serve within two (2) years from the quarterly meeting; provided, however, the Grantee shall make its best efforts to complete such deployment within a shorter period of time. For example, if, at a quarterly meeting with the Cable Officer, Grantee shows that it is capable of serving sixty percent of the households in the City with cable service and is actually serving thirty percent of those households with cable service, then Grantee will agree to serve an additional fifteen percent of the total households in the City no later than 2 years after that quarterly meeting (a total of 75% of the total households). This additional build-out based on market success shall continue until every household in the City is served;

(5) Line Extension. Grantee shall not have a line extension obligation until the first date by which Grantee is providing Cable Service to more than fifty percent (50%) of all subscribers receiving facilities based cable service from both the Grantee and any other provider(s) of cable service within the City. At that time, the City, in its reasonable discretion and after meeting with Grantee, shall determine the timeframe to complete deployment to the remaining households in the City, including a density requirement that is the same or similar to the requirement of the incumbent franchised cable operator.

1.3 Service Discrimination Prohibited. Grantee is prohibited from denying access to cable service to any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides. Grantee shall not discriminate among subscribers and potential subscribers to cable service.

1.4 Reservation of City Right of Way Rights. Nothing in this Franchise shall deprive the City of any rights or privilege to exercise its police powers in the regulation and control of the use of the rights-of-way. Nothing in this Franchise shall prevent the City from constructing, maintaining, or repairing any City rights-of-way, or public work or improvement in the City's rights-of-way. All such work shall be done, insofar as practicable, so as not to obstruct, injure or prevent the use and operation of Grantee's Cable System. However, if any of the Grantee's system will interfere with the construction, maintenance, or repair of any City rights-of-way or public work or improvement in the City's rights-of-way, at its own expense the Grantee shall remove or relocate its system as the City directs except that the City may not discriminate among telecommunication rights-of-way users. Grantee shall be entitled to reimbursement of its relocation costs if made available to other users of the rights-of-way for that project or projects. Should the Grantee fail to remove, adjust or relocate its facilities by the date established by the City Engineer's written notice to Grantee, the City may effect such removal, adjustment or relocation and recover the cost thereof from the Grantee, including all costs and expenses incurred by the City due to Grantee's delay. Throughout this Franchise Agreement, the term "public rights-of-way" or "rights-of-way" shall have the meaning set forth in Minn. Stat. § 237.163. If there is a conflict in language between this Franchise Agreement and a local ordinance regulating the use of public rights-of-way, the terms of this Franchise Agreement shall prevail.

1.5 Competitive Equity. Notwithstanding anything else in this Franchise, if, during this Franchise Agreement's term any laws, rules, regulations, or governmental authorization would allow a provider of multi-channel video programming or equivalent in the City's rights-of-way to provide multi-channel video programming or equivalent under less burdensome regulations or regulatory structure than Grantee is operating under, the franchise agreement shall be amended to reflect such changes, upon Grantee's written request.

1.6 Non-Waiver. Grantee shall not be relieved of its obligations to comply, promptly and completely, with any provision of the Franchise by reason of any failure of the City to promptly enforce compliance with this Franchise, nor does the City waive or limit any of its rights under this Franchise by reason of such failure or neglect.

Section 2. State Mandated Franchise Terms

2.1 General Provisions.

(a) *Compliance with Minnesota Statutes.* This Franchise shall comply with all provisions contained in Minnesota Statutes Chapter 238, and as amended.

(b) *Conformance with State and Federal Laws and Rules.* The City and Grantee shall conform to state laws and rules regarding cable communications no later than one (1) year after they become effective, unless otherwise stated. The City and Grantee shall conform to federal laws and regulations regarding cable as they become effective.

(c) *Franchise Term.* This Franchise shall commence on the Effective Date and Terminate on June 30, 2020, unless terminated sooner as hereinafter provided. Any subsequent renewal term of the Franchise shall be limited to not more than fifteen (15) years each. The City shall approve this Franchise through the passage of an ordinance by the City Council and approval of the Mayor, which shall be published in accordance with applicable local and Minnesota law. Within thirty (30) days after enactment of the ordinance granting approval of the Franchise, Grantee shall signify its acceptance of this Franchise by executing a written acceptance of this Franchise. The Effective Date shall be the date of acceptance by Grantee.

(d) *Nonexclusive Franchise.* This Franchise shall be nonexclusive. The City may grant additional franchises consistent with Minnesota Statutes Section 238.08, subdivision 1(b) and 47 U.S.C. § 541.

(e) *Franchise Transfer.* No sale or transfer of the franchise or sale or transfer of stock so as to create a new controlling interest under Minnesota Statutes § 238.083 shall occur without the approval of the City, which will not be unreasonably withheld, conditioned that the sale or transfer is completed consistent with Minnesota Statutes § 238.083. If allowed under state and federal law, Grantee shall pay all of City's reasonable costs in reviewing and acting upon a transfer application. If the cable communications system is offered for sale, the parties shall comply with any lawful requirements of applicable law regarding the City's right to purchase the cable communications system.

(f) *Audit.* The City shall have the right to audit the Grantee's accounting and financial records required to calculate the City's franchise fees upon reasonable notice; provided, however, that any such inspection shall take place within three (3) years from the date the City receives the payment, after which period any such payment shall be considered final. The Grantee shall file annual reports with the City detailing gross subscriber revenues and other information the City deems appropriate.

(g) *Public Inspection.* The Grantee shall make available for public inspection: (1) the length and terms of residential subscriber contracts; (2) the current subscriber charges; and (3) the procedure by which subscriber charges are established, unless such a provision is contrary to state or federal law.

(h) *Franchise Administration.* The City shall notify Grantee of the office or officer of the City responsible for the continuing administration of the Franchise.

(i) *Indemnification.* The Grantee shall indemnify, defend and hold harmless the City, its officers, boards, commissions, councils, elected officials, agents and employees (collectively the "Indemnitees") from and against any liability or claims resulting from property damage or bodily injury (including accidental death) that arise out of the Grantee's construction, operation, maintenance or removal of the Cable System, including, but not limited to, reasonable attorneys' fees and costs, provided that the City shall give the Grantee written notice of its obligation to indemnify and defend the City within thirty (30) calendar days of receipt of a claim or action pursuant to this section, or within fifteen (15) calendar days upon receipt of a lawsuit. If the City determines that it is necessary for it to employ separate counsel, the costs for such separate counsel shall be the responsibility of the City.

(1) The Grantee's obligation to indemnify Indemnitees under this Franchise Agreement shall extend to claims, losses, and other matters covered hereunder that are caused or contributed to by the negligence of one or more Indemnitees. However, in such case the obligation to indemnify shall be reduced in proportion to the negligence of the Indemnitees. An example of such reduction is as follows:

a. Assume an incident occurs for which the Grantee is eighty-five percent (85%) at fault and Indemnitees are fifteen percent (15%) at fault. The total amount due and owing a third party from the resulting claim is one hundred thousand dollars (\$100,000). The Grantee's obligation to indemnify is eighty-five percent (85%) of \$100,000, or \$85,000.

b. Grantee shall contemporaneously with this Franchise execute an Indemnity Agreement in a form acceptable to the City, which shall indemnify, defend and hold the City harmless for any claim for injury, damage, loss, liability, cost or expense, including court and appeal costs and reasonable attorneys' fees or reasonable expenses arising out of the actions of the City in granting this Franchise. This obligation includes any claims by another franchised cable operator against the City that the terms and conditions of this Franchise are less burdensome than another franchise granted by the city or that this Franchise does not satisfy the requirements of applicable federal, state, or local law(s).

(j) *Insurance.* The Grantee shall carry insurance, and provide to the City certificates of insurance designating the City and its officers, boards, commissions, councils, elected officials, agents and employees as additional insureds and demonstrating that the Grantee has obtained the insurance required in this Section, to protect the Grantee and the City from and against any and all claims, demands, actions, judgments, costs, expenses, and liabilities which may arise or result, directly or indirectly, from or by reason of the loss, injury, claim, or damage, in the following amounts:

(1) Commercial General Liability insurance with limits of at least one million dollars (\$1,000,000) general aggregate, one million dollars (\$1,000,000) products - completed operations one million dollars (\$1,000,000) personal and advertising injury, fifty thousand (\$50,000) each occurrence fire damage and five thousand (\$5,000) medical expense any one person. The policy shall be on an "occurrence" basis, shall include Contractual liability coverage and the City shall be named an additional insured.

(2) Commercial Automobile Liability insurance covering all owned, non-owned and hired automobiles with limits of at least five hundred thousand dollars (\$500,000) per accident.

The Grantee shall also carry insurance to protect it from all claims under workers' compensation laws in effect that may be applicable to it in the following amounts:

Workers Compensation insurance that meets the statutory obligations with Coverage B-Employers Liability limits of at least one hundred thousand (\$100,000) each accident, five hundred thousand (\$500,000) disease - policy limit and one hundred thousand (\$100,000) disease each employee.

Insurance required must remain in effect for the entire term of the agreement. Insurance secured by the Grantee shall be issued by insurance companies rated A or better by A.M. Best Company and admitted in Minnesota. If Grantee self-insures, Grantee shall certify annually that it has met all of the State of Minnesota requirements for self-insuring.

Acceptance of the insurance by the City shall not relieve, limit or decrease the liability of the Grantee. Any policy deductibles or retention shall be the responsibility of the Grantee. The Grantee shall control any special or unusual hazards and be responsible for any damages that result from those hazards. The City does not represent that the insurance requirements are sufficient to protect the Grantee's interest or provide adequate coverage. Evidence of coverage is to be provided on an industry standard Insurance Certificate. A thirty (30) day written notice is required if the policy is canceled, not renewed or materially changed. The Grantee shall require any of its subcontractors to comply with these provisions.

(k) *Security.* The Grantee shall furnish a performance bond, letter of credit or security fund ("Performance Bond"), acceptable to the City, in the amount of five hundred thousand dollars (\$500,000) for compensation for damages resulting from the Grantee's nonperformance as specified in this Franchise.

(l) *No Relief from Liability.* Nothing in the Franchise shall be construed so as to relieve a person from liability arising out of the failure to exercise reasonable care to avoid injuring the Grantee's facilities while performing work connected with grading, regarding, or changing the line of a street or public place or with the construction or reconstruction of a sewer or water system.

(m) *Qualifications Reviewed.* The City considered and approved the Grantee's technical ability, financial condition and legal qualifications in a full public proceeding that afforded reasonable notice and a reasonable opportunity to be heard.

(n) *Reserved.*

(o) *Permits.* Pursuant to applicable local law, the Grantee shall obtain a permit from the proper municipal authority before commencing construction on its cable communications system, including the opening or disturbance of a street, sidewalk, driveway, or public place. In the event that Grantee fails to meet the conditions of such a permit, the City may seek remedies under this Franchise Agreement.

(p) *Compliance with Code.* Wires, conduits, cable and other property and facilities of the Grantee shall be located, constructed, installed and maintained in compliance with applicable local laws. The Grantee must keep and maintain its property so as not to unnecessarily interfere with the usual and customary trade, traffic, or travel upon the streets and public places of the franchise area or endanger the life or property of any person.

(q) *Removal and Relocation.* Unless otherwise provided for by local law, the City and the Grantee shall establish a procedure in the franchise for the relocation or removal of the franchisee's wires, conduits, cables, and other property located in the street, right-of-way, or public place whenever the City undertakes public improvements that affect the cable equipment except that the City may not discriminate among telecommunication rights-of-way users. Grantee shall be entitled to reimbursement of its relocation costs if made available to other users of the right-of-way for that project or projects.

(r) *Compliance with FCC Technical Standards.* The Grantee shall comply at a minimum with the technical standards promulgated by the Federal Communications Commission relating to cable communications systems contained in subpart K of part 76 of the Federal Communications Commission's rules and regulations relating to cable communications systems and found in Code of Federal Regulations, title 47, sections 76.601 to 76.617, as amended from time to time. The results of tests required by the Federal Communications Commission will be available for onsite review by the City within 10 days of filing such tests with the FCC.

(s) *Cost of Special Testing.* The City may require special testing of a location or locations within the System if there is a particular matter of unresolved complaints regarding System construction, operations, signal quality, or installation work pertaining to such location(s). Such tests shall be limited to the particular matter in controversy. The City shall endeavor to so arrange its request for such special testing so as to minimize hardship or inconvenience to the Grantee or to the subscribers of such testing.

Before ordering such test, Grantee shall be afforded thirty (30) days following receipt of written notice to investigate and, if necessary, correct problems or complaints upon which tests were ordered. The Grantee and City shall determine who is to bear the costs of required special testing.

(t) *Subscriber Privacy.* No signals of a cable communications channel may be transmitted from a subscriber terminal for purposes of monitoring individual viewing patterns or practices without the express written permission of the subscriber. The request for permission must be contained in a separate document with a prominent statement that the subscriber is authorizing the permission in full knowledge of its provisions. The written permission must be for a limited period of time not to exceed one (1) year, which is renewable at the option of the subscriber. No penalty may be invoked for a subscriber's failure to provide or renew the authorization. The authorization is revocable at any time by the subscriber without penalty of any kind. Grantee shall further comply with 47 U.S.C. § 551, which is incorporated herein by reference.

(1) No information or data obtained by monitoring transmission of a signal from a subscriber terminal, including but not limited to lists of the names and addresses of the subscribers or lists that identify the viewing habits of subscribers, may be sold or otherwise made available to any person other than to the company and its employees for internal business use, or to the subscriber who is the subject of that information, unless the company has received specific written authorization from the subscriber to make the data available or unless said information is ordered by a court or subpoenaed;

(2) Written permission from the subscriber must not be required for the systems conducting system wide or individually addressed electronic sweeps for the purpose of verifying system integrity or monitoring for the purpose of billing. Confidentiality of this information is subject to clause (t)(1); and

(3) For purposes of this provision, a "cable communications channel" means a signaling path provided by a cable communications system to transmit signals of any type from a subscriber terminal to another point in the communications system.

(u) *Complaint Resolution Procedure.* See Section 3.

(v) *Receipt of Complaints.* See Section 3. Also, Grantee shall immediately provide a consumer complaint telephone number at the City to subscribers that asks for a consumer complaint number.

(w) *Franchise Termination.* The City has the right to terminate and cancel the franchise and the rights and privileges of the franchise if the Grantee substantially violates a provision of the franchise ordinance or agreement, attempts to evade the provisions of the franchise ordinance or agreement, or practices fraud or deceit upon the City. The City shall provide the Grantee with a written notice of the cause for termination and its intention to terminate the Franchise and shall allow the Grantee a minimum of thirty (30) days after service of the notice in which to correct the violation. The Grantee must be provided with an opportunity to be heard at a public hearing before the governing body of the City before the termination of the franchise.

(x) *Abandonment.* No person operating a cable communications system, notwithstanding any provision in a franchise, may abandon a cable communications system or a portion of it without having given three (3) months prior written notice to the franchising authority. No person operating a cable communications system may abandon a cable communications system or a portion of it without compensating the City for damages resulting to it from the abandonment.

(y) *Removal of Facilities.* Upon termination or forfeiture of the Franchise, unless otherwise required by applicable law, the Grantee shall remove its cable, wires, and appliances from the streets, alleys, and other public places within the franchise area if the City so requests. In the event the Grantee fails to remove its cable, wires, and appliances from the streets, alleys, and other public

places within the franchise area, the Grantee will be subject to the procedures of applicable local law.

(z) *Access Channels.* The Grantee shall provide nine (9) channels (the “Access Channels”) to be used for Public, Educational or Government programming on the basic service tier. The City has the sole discretion to designate the use of each Access Channel. Grantee shall provide a technically reliable path for upstream and downstream transmission of the Access Channels, which will in no way degrade the technical quality of the Access Channels, from an agreed upon demarcation point at the City’s Master Control Center at City Hall, and from the City’s designated Access providers locations, to Grantee’s headend, on which all Access Channels shall be transported for distribution on Grantee’s subscriber network. The Access Channels shall be delivered without degradation to subscribers in the technical format (e.g. HD or SD) as delivered by the City and any designated Access provider to Grantee at each demarcation point at City Hall and at the designated Access providers’ locations.

(1) All of the Access Channels will be made available through a multi-channel display (i.e. a picture in picture feed) on a single TV screen called a “mosaic” (the “Minneapolis Mosaic”), where a cable subscriber can access via an interactive video menu one of any of the nine PEG Access Channels. The Minneapolis Mosaic will be located on Channel 14. The nine Access Channels will be located at Channels 8001-8009. The Minneapolis Mosaic will contain only Access Channels authorized by the City of Minneapolis.

(2) Grantee will make available to the City the ability to place Access Channel programming information on the interactive channel guide by putting the City in contact with the electronic programming guide vendor (“EPG provider”) that provides the guide service. Grantee will be responsible for providing the designations and instructions necessary to ensure the Access Channels will appear on the programming guide throughout the City and any necessary headend costs associated therewith. The City shall be responsible for providing programming information to the EPG provider. Grantee shall pay any costs the EPG provider charges to programmers who participate in its service.

(3) For purposes of this Franchise, the term channel shall be as commonly understood and is not any specific bandwidth amount. The signal quality of the Access Channels shall be the same as the local broadcast channels, provided such signal quality is delivered to Grantee at the Access Channels’ respective demarcation points.

(4) Grantee will provide, at no cost to the City, air time on non-Access channels during periods in which ample unsold/unused air time on such channels exists, in a manner consistent with past informal practice, for City public service announcements (PSAs). The City will provide a 30-second PSA prior to the start of each month on a mutually agreed-upon schedule.

(5) In the event Grantee makes any change in the Cable System and related equipment and facilities or in its signal delivery technology, which requires the City to obtain new equipment in order to be compatible with such change for purposes of transport and delivery of the Access Channels to the Grantee’s headend, Grantee shall, at its own expense and free of charge to the City or its designated entities, purchase such equipment as may be necessary to facilitate the cablecasting of the Access Channels in accordance with the requirements of the Franchise.

(6) Neither the Grantee nor the officers, directors, or employees of the Grantee is liable for any penalties or damages arising from programming content not originating from or produced by the Grantee and shown on any public access channel, education access channel, government access channel, leased access channel, or regional channel.

(7) Within one hundred twenty (120) days of a written request from the City, Grantee shall make available as part of Basic Service to all Subscribers a Government Access Video-on Demand (GAVOD) Service and maintain a GAVOD system. The GAVOD system shall be connected by the Grantee such that:

a. Twenty-five (25) hours of programming per Access Channel, or such greater amount as may be mutually agreed to by the parties, as designated and supplied by the City or its Designated Access Provider to the Grantee may be electronically transmitted and/or transferred and stored on the GAVOD system; and

b. a database of that programming may be efficiently searched and a program requested and viewed over the GAVOD system by any Subscriber in the City; and

c. programming submitted for placement on the GAVOD system, shall be placed on and available for viewing from the GAVOD system within forty-eight (48) hours of receipt of said programming;

d. The hardware and software described in Subsection (8) below, shall be in all respects of the same or better technical quality as the hardware and software utilized by Grantee in the provision of any other video on demand services offered over the Cable System, and shall be upgraded at Grantee's cost, when new hardware or software is utilized on Grantee's Cable System for other video on demand services. Grantee shall provide reasonable technical assistance to allow for proper use and operation when encoding hardware or software is installed and/or upgraded at City's facilities.

(8) To ensure compatibility and interoperability, the Grantee shall supply and maintain all necessary hardware and software to encode, transmit and/or transfer Government Access programming from the City to the GAVOD system. The City shall be responsible for all monitoring of any equipment provided under this Section, and notifying Grantee of any problems. Grantee shall provide all technical support and maintenance for the equipment provided to the City by Grantee under this Section. After notification of any equipment problems, Grantee shall diagnose and resolve the problem within forty eight (48) hours. Major repairs which can't be repaired within the forty eight (48) hour timeframe shall be completed within seven (7) days of notice, unless, due to Force Majeure conditions, a longer time is required. "Major repairs" are those that require equipment to be specially obtained in order to facilitate the repairs. The quality of signal and the quality of service obtained by a Subscriber utilizing the GAVOD service shall meet or exceed the quality standards established for all other programming provided by the Grantee and as established elsewhere in this Franchise Agreement

(aa) *PEG Support.*

(1) The PEG fee, payable quarterly, shall be:

a. \$1.50/subscriber/month from the effective date until the franchise renews. Starting with the 2016 calendar year, the City may elect to increase this fee based on the Consumer Price Index. Any such election must be made in writing to the Franchisee no later than September 1st prior to the year in which the increase shall apply. In no event shall the fee be in an amount different from the

incumbent cable provider or exceed \$1.75. In the event the incumbent agrees to a higher, or lower, PEG fee, Grantee will increase, or decrease, its PEG fee upon ninety (90) days written notice from the City. The PEG fee may be used for operational or capital support of PEG programming.

b. If any laws, rules, regulations or government authorizations would allow a provider of multi-channel video programming or equivalent in the City's rights-of-way to provide multi-channel video programming or equivalent under less burdensome regulations or regulatory structure than Grantee is operating under, the obligations of this section shall be modified to reflect such changes.

c. Grantee agrees that financial support for PEG arising from or relating to the obligations set forth in this Section shall in no way modify or otherwise affect Grantee's obligations to pay Franchise Fees to City. Grantee agrees that although the sum of Franchise Fees plus the payments set forth in this Section may total more than five percent (5%) of Grantee's Gross Revenues in any 12-month period, the additional commitments shall not be offset or otherwise credited in any way against any Franchise Fee payments under this Franchise Agreement.

d. If the incumbent franchised cable operator agrees to provide any support of the Access Channels in excess of the amount identified in paragraph 2.1(aa)(1)(i) above or to any payment in support of an institutional network after the Effective Date of this Franchise, the City, in its reasonable discretion, after meeting with the Grantee, will determine the appropriate additional payment, in any, Grantee will make in support of the Access Channels or an institutional network.

(bb) *Regional Channel 6.* The VHF Channel 6 is designated for uniform regional channel usage as required in Minnesota Statutes § 238.02, subdivision 31(c), and Minnesota Statutes § 238.43.

(cc) *Cable Service to Public Buildings.* Grantee shall, at no cost to the City, provide basic service and expanded basic service and necessary reception equipment to all outlets at government buildings, schools and public libraries located in the City where Grantee provides Cable Service, so long as these government addresses are designated as a household and no other cable communications provider is providing complementary service at such location. For purposes of this subsection, "school" means all State-accredited K-12 public, the University of Minnesota, and private schools. Outlets of basic and expanded basic service provided in accordance with this subsection may be used to distribute cable services throughout such buildings; provided such distribution can be accomplished without causing cable system disruption and general technical standards are maintained. Such outlets may only be used for lawful purposes.

2.2 Definitions. The definitions contained in Minnesota Statutes Chapter 238 and Title VI of the Communications Act of 1934, as amended, and rules promulgated thereunder, are hereby incorporated herein by reference.

(a) Household means a distinct address in the QC network database, whether a residence or small business, subscribing to or being offered cable service. Grantee represents and warrants that it has access to the QC network database and shall demonstrate to the City's reasonable satisfaction how the data required in Sections 1.2 and 1.3 are calculated and reported using the QC network database.

Section 3. Customer Service Standards

3.1 Cable System Office Hours and Availability.

(a) The Grantee will maintain a local, toll-free or collect call telephone access line which will be available to its subscribers twenty-four (24) hours a day, seven (7) days a week.

(1) Trained company representatives will be available to respond to customer telephone inquiries during normal business hours.

(2) After normal business hours, the access line may be answered by a service or an automated response system, including an answering machine. Inquiries received after normal business hours must be responded to by a trained company representative on the next business day.

(b) Under normal operating conditions, telephone answer time by a customer representative, including wait time, shall not exceed thirty (30) seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty (30) seconds. These standards shall be met no less than ninety (90) percent of the time under normal operating conditions, measured on a quarterly basis.

(c) The Grantee will not be required to acquire equipment or perform surveys to measure compliance with the telephone answering standards above unless an historical record of complaints indicates a clear failure to comply.

(d) Under normal operating conditions, the customer will receive a busy signal less than three (3) percent of the time.

(e) Customer service center and bill payment locations will be open at least during normal business hours and will be conveniently located.

(f) Grantee shall maintain a convenient local subscriber service and bill payment location in the City for matters such as receiving Subscriber payments, handling billing questions, equipment replacement and subscriber information.

3.2 Installations, Outages and Service Calls. Under normal operating conditions, each of the following four standards will be met no less than ninety five (95) percent of the time measured on a quarterly basis:

(a) Standard installations will be performed within seven (7) business days after an order has been placed. "Standard" installations are those that are located up to 125 feet from the existing distribution system.

(b) Excluding conditions beyond the control of the Grantee, the Grantee will begin working on "service interruptions" promptly and in no event later than twenty-four (24) hours after the interruption becomes known. The Grantee must begin actions to correct other service problems the next business day after notification of the service problem.

(c) The "appointment window" alternatives for installations, service calls, and other installation activities will be either a specific time or, at maximum, a four-hour time block during normal business hours. (The Grantee may schedule service calls and other installation activities outside of normal business hours for the express convenience of the customer.)

(d) The Grantee may not cancel an appointment with a customer after the close of business on the business day prior to the scheduled appointment.

(e) If the Grantee representative is running late for an appointment with a customer and will not be able to keep the appointment as scheduled, the customer will be contacted. The appointment will be rescheduled, as necessary, at a time which is convenient for the customer.

3.3 Communications Between Grantee and Cable Subscribers.

(a) Refund checks will be issued promptly, but no later than either the customer's next billing cycle following resolution of the request or thirty (30) days, whichever is earlier, or the return of the equipment supplied by the Grantee if service is terminated.

(b) Credits for service will be issued no later than the customer's next billing cycle following the determination that a credit is warranted.

3.4 Definitions.

(a) *Normal Business Hours.* The term "normal business hours" means those hours during which most similar businesses in the community are open to serve customers. In all cases, "normal business hours" must include some evening hours at least one (1) night per week and/or some weekend hours.

(b) *Normal Operating Conditions.* The term "normal operating conditions" means those service conditions which are within the control of the Grantee. Those conditions which are not within the control of the Grantee include, but are not limited to, natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions. Those conditions which are ordinarily within the control of the Grantee include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or upgrade of the cable system.

(c) *Service interruption.* The term "service interruption" means the loss of picture or sound on one or more cable channels.

3.5 Information to Subscribers.

(a) Grantee shall provide written information on each of the following areas at the time of installation of service, at least annually to all subscribers, and at any time upon request:

- (1) Products and services offered;
- (2) Prices and options for programming services and conditions of subscription to programming and other services;
- (3) Installation and service maintenance policies;
- (4) Instructions on how to use the cable services;
- (5) Channel positions of programming carried on the system;

(6) Billing and complaint procedures, including the address and telephone number of the City's cable office; and

(7) Subscribers shall be advised of the procedures for resolution of complaints about the quality of the television signal delivered by the Grantee, including the address of the responsible officer of the City.

3.6 Rate and Service Changes.

(a) Customers will be notified of any changes in rates, programming services or channel positions as soon as possible in writing. Notice must be given to subscribers a minimum of thirty (30) days in advance of such changes if the change is within the control of the Grantee. In addition, the Grantee shall notify subscribers thirty (30) days in advance of any significant changes in the other information required by Section 3.5 above.

(b) In addition to the requirement of paragraph (a) of this section regarding advance notification to customers of any changes in rates, programming services or channel positions, cable systems shall give thirty (30) days written notice to both subscribers and City before implementing any rate or service change. Such notice shall state the precise amount of any rate change and briefly explain in readily understandable fashion the cause of the rate change (e.g., inflation, change in external costs or the addition/deletion of channels). When the change involves the addition or deletion of channels, each channel added or deleted must be separately identified. For purposes of the carriage of digital broadcast signals, the Grantee need only identify for subscribers, the television signal added and not whether that signal may be multiplexed during certain dayparts.

(1) Grantee shall provide written notice to a subscriber of any increase in the price to be charged for the basic service tier or associated equipment at least thirty (30) days before any proposed increase is effective. The notice should include the name and address of City Administrator.

(2) To the extent the Grantee is required to provide notice of service and rate changes to subscribers, the Grantee may provide such notice using any reasonable written means at its sole discretion.

(3) Grantee shall not be required to provide prior notice of any rate change that is the result of a regulatory fee, franchise fee, or any other fee, tax, assessment, or charge of any kind imposed by any Federal agency, State, or franchising authority on the transaction between the Grantee and the subscriber.

3.7 Rate Review. The City reserves the right to regulate all rates and charges for cable service except to the extent it is prohibited from doing so by law.

3.8 Broad Programming Categories. Grantee shall provide or enable the provision of at least the following initial broad categories of programming to the extent such categories are reasonably available:

- (a) Educational programming;
- (b) Minnesota news, weather & information;
- (c) Sports;
- (d) General entertainment (including movies);
- (e) Children/family-oriented;
- (f) Arts, culture and performing arts;

- (g) Foreign language;
- (h) Science/documentary;
- (i) National news, weather and information;
- (j) Public, Educational and Government Access, to the extent required by this Franchise; and
- (k) Culturally diverse programming.

Section 4. Compensation and Auditing

4.1 Amount of Compensation. Grantee shall pay annually as a Franchise Fee in accordance with Section 622 of the Cable Act to the City, throughout the duration of this Franchise, of five percent (5%) of Grantee's Gross Revenues. If during the term of this Franchise, the FCC, federal or state government, or the courts effectively permit the City to impose a Franchise Fee greater than five percent (5%), the City shall have the right to increase the Franchise Fee to take full advantage thereof.

The Franchise Fee shall be in addition to any and all taxes or other levies or assessments which are now or hereafter required to be paid by businesses in general by any law of the City, the State or the United States including, without limitation, sales, use and other taxes, business license fees or other payments. Payment of the Franchise Fee under this Franchise shall not exempt Grantee from the payment of any other license fee, permit fee, tax or charge on the business, occupation, property or income of Grantee that may be lawfully imposed by the City. Any other license fees, taxes or charges shall be of general applicability in nature and shall not be levied against Grantee solely because of its status as a cable operator, solely because of its status as such.

(a) "Gross Revenue" means all Cable Service revenue derived by the Grantee from the operation of the Cable System in the Franchise Area to provide Cable Services, calculated in accordance with generally accepted accounting principles. Cable Service revenue includes, but is not limited to, monthly basic, premium, pay-per-view and other video fees, advertising and home shopping revenue, installation fees and equipment rental fees, leased access, sales of programming guides and franchise fees. Gross Revenue shall not include refundable deposits, bad debt, late fees, investment income, programming launch support payments, advertising sales commissions, nor any taxes, fees or assessments imposed or assessed by any governmental authority.

4.2 Payment of Franchise Fees on Bundled Services.

(a) Grantee agrees that if it bundles, packages, or combines services subject to the franchise fee with services that are not subject to the franchise fee: 1) It will not do so for the purpose of avoiding franchise fees; and 2) Except as otherwise provided in this section, it will allocate revenues derived from the bundled, combined, or packaged services in a manner that attributes a fair and reasonable amount of the revenues to the Cable Services component. This section shall be subject to the City's rights to audit pursuant to sections 2.1(f) and 4.6.

(b) This section is not intended to apply to reduction in Franchise Fees that result from other causes such as changes in the law, Subscriber losses, Subscriber service downgrades, Force Majeure, or short-term promotional activities (i.e., premium channel discounts or sales).

4.3 Payments and Quarterly Reports.

(a) Payments. Grantee's Franchise Fee and PEG Fee payments to the City shall be computed quarterly following the Effective Date of this Franchise. Payments shall be due and payable within 30 days following the end of each quarter.

(b) Quarterly Reports. Each payment shall be accompanied by a written report to the City, containing an accurate statement in summarized form, as well as in detail, of Grantee's Gross Revenues and the computation of the payment amount. Such reports shall be in form and substance satisfactory to the City and shall include revenue by product category.

4.4 Interest on Late Payments. All sums not paid when due, and after reasonable notice and opportunity to cure, shall bear interest at the rate of one percent (1%) per annum computed monthly, and if so paid with interest within thirty (30) days of due date, shall not constitute an event of default.

4.5 Acceptance of Payment and Recomputation. No acceptance of any payment shall be construed as an accord by the City that the amount paid is, in fact, the correct amount, nor shall any acceptance of payments be construed as a release of any claim the City may have for further or additional sums payable or any other claim or right. All amounts paid shall be subject to audit and recomputation by the City, provided that such audit and recomputation is completed within three (3) years of the date payment was due.

4.6 Audits.

(a) Upon reasonable prior written notice, during normal business hours at Grantee's principal business office, the City shall have the right to inspect the Grantee's financial records used to calculate the City's franchise fees; provided, however, that any such inspection shall take place within three (3) years from the date the City receives such payment, after which period any such payment shall be considered final.

(b) Upon the completion of any such audit by the City, the City shall provide to the Grantee a final report setting forth the City's findings in detail, including any and all substantiating documentation. In the event of an alleged underpayment, the Grantee shall have thirty (30) days from the receipt of the report to provide the City with a written response agreeing to or refuting the results of the audit, including any substantiating documentation. Based on these reports and responses, the parties shall agree upon a "Finally Settled Amount." For purposes of this section, the term "Finally Settled Amount(s)" shall mean the agreed upon underpayment, if any, to the City by the Grantee as a result of any such audit. If the parties cannot agree on a "Final Settlement Amount," the parties shall submit the dispute to a mutually agreed upon mediator within sixty (60) days of reaching an impasse. In the event an agreement is not reached at mediation, either party may bring an action to have the disputed amount determined by a court of law.

(c) Any "Finally Settled Amount(s)" due to the City as a result of such audit shall be paid to the City by the Grantee within thirty (30) days from the date the parties agree upon the "Finally Settled Amount." Once the parties agree upon a Finally Settled Amount and such amount is paid by the Grantee, the City shall have no further rights to audit or challenge the payment for that period. The City shall bear the expense of its audit of the Grantee's books and records.

Section 5. Enforcement and Penalties

5.1 Notice and Opportunity to Cure.

In the event the City believes that the Grantee has not complied with the material terms of the Franchise, it shall notify the Grantee in writing with reasonably specific details regarding the nature of the alleged noncompliance or default. Prior to issuing the written notice of noncompliance or default, the City shall make a good faith effort to contact Grantee in an attempt to resolve the issue through good faith consultation in the ordinary course of business. The City delegates to the Cable Officer the authority to make initial determinations regarding noncompliance with the Franchise and to issue written notice of any alleged violations. Unless otherwise agreed upon by the parties in writing, Grantee shall have thirty (30) days from the date of the notice to cure the alleged noncompliance (the "Cure Period"). If Grantee intends to cure the alleged noncompliance, but is unable to within the Cure Period, Grantee may request an extension of the Cure Period (the "Extended Cure Period"), which shall not be unreasonably denied. The Extended Cure Period shall not exceed forty-five (45) days beyond the Cure Period. Provided the Grantee cures the alleged noncompliance within the Cure Period or any Extended Cure Period, the City agrees not to assess any liquidated damages for the alleged noncompliance.

5.2 Informal Resolution.

Following written notice of any alleged violation, the parties shall expeditiously schedule a meeting to discuss the dispute informally. In the event that the dispute is not resolved by the City's Cable Officer and Grantee's primary staff contact to the City within ten (10) days of Grantee's receipt of the City's written notice, either party may upon written notice to the other party request that the matter be referred to senior management officials within each respective organization for internal resolution. Senior management officials shall meet or confer at least once in good faith, to negotiate a mutually acceptable resolution within twenty (20) days of the receipt of the request for internal resolution. For the purposes of this paragraph, the designated senior management official for City shall be the City Coordinator; and for the Grantee shall be the Regional Vice President of the Grantee (or similar), unless otherwise changed through the mutual agreement of the parties. The senior management officials are required to meet once but may mutually agree to meet more than once if it appears that further meetings may successfully resolve the dispute. The period for informal discussions shall not exceed thirty (30) days from receipt of the written notice, unless it is extended by written agreement of the parties.

5.3 Formal Resolution.

If the matter is not resolved informally under section 5.2 (Informal Resolution), the matter shall be referred to the Ways and Means Committee of the Minneapolis City Council. In a meeting before the Ways and Means Committee, the Cable Officer of the City shall present information and make a brief oral presentation to the Ways and Means Committee demonstrating reasonable cause of a Franchise violation. Grantee may present information and make a brief oral presentation to the Ways and Means Committee. The Ways and Means Committee shall forward its recommendation on whether reasonable cause of a Franchise violation exists to the City Council. If the City Council determines there is reasonable cause that a Franchise violation has occurred, the matter shall be submitted to a mutually-selected mediator. If the Parties cannot agree upon a mutually-selected mediator within thirty (30) days of the end of the informal resolution period contained in Section 5.2, each Party shall within twenty (20) days provide a list of the names of three (3) mediators acceptable to that Party to the Chief Judge of the Hennepin County District Court who shall select a mediator for the Parties from the submitted names. If the Parties, with the assistance of

the mediator, do not resolve the dispute within seventy-five (75) days of selection of the mediator, they may enforce their rights solely and exclusively in Hennepin County District Court. The court shall have jurisdiction to demand and compel compliance with this Agreement and to impose the remedies contained in section 5.4 (Remedies for Non-Compliance).

5.4 Remedies for Non-Compliance

The Hennepin County District Court shall, without limitation, have all rights and remedies provided for herein or otherwise available under the law, including termination of the Franchise, and the assessment of liquidated damages.

(a) Liquidated Damages.

(1) Amounts of Liquidated Damages. Because Grantee's failure to comply with provisions of the Franchise will result in injury to the City in amounts that will be difficult to quantify with reasonable certainty, the City and Grantee agree to the following Liquidated Damages for the following violations. These damages represent the Parties' best estimate of the damages resulting from the specified injury and Grantee acknowledges that the liquidated damages amounts herein are reasonable in light of the anticipated or actual harm caused by any breach or noncompliance of the Franchise. Recognizing the length of this Franchise, the Liquidated Damage amounts are in 2008 dollars and shall be increased January 1 of each year by the increase in the U.S. Consumer Price Index for the Minneapolis/St. Paul area. To the extent that the City elects to assess liquidated damages as provided in this Agreement, and such liquidated damages have been paid, such damages shall be the City's sole and exclusive remedy for the specific violation for which the liquidated damages were imposed. Nothing in this section, however, shall preclude the City from exercising any other right or remedy with respect to a breach that continues past the time the city stops assessing liquidated damages for such breach. Such damages shall not be a substitute for actual performance by Grantee of a financial obligation, but shall be in addition to any such actual performance.

(2) In the event the City assesses liquidated damages, Grantee shall have thirty (30) days to pay the damages assessed. If Grantee does not pay the damages assessed within thirty (30) days, the City in its sole discretion may collect the damages from the Performance Bond.

(3) Grantee's obligation to pay the liquidated damages assessed shall be stayed pending resolution of judicial proceedings, but shall continue to accrue until and unless the violation has been cured.

(4) Nothing in this section is intended to invalidate the Force Majeure provisions of Section 6.3.

(b) Liquidated damages shall be assessed commencing on the date Grantee received notice as provided for in paragraph 5.1 as follows:

(1) For violation of applicable subscriber service standards:

a. For failure to maintain a local, toll free or collect call line consistent with section 3.1: two hundred fifty dollars (\$250) per day for each day or part thereof that such violation continues;

b. For failure to operate available customer service centers and bill payment locations during normal business hours under Section 3.1(a): two hundred fifty (\$250) per day for each day or part thereof that such violation continues;

c. For failure to answer Subscriber calls as required by Section 3.1(b) of the Franchise, in any calendar quarter where Grantee fails to meet the applicable standard and meets the standard at eighty percent (80%) of the time under normal operating conditions or above, the Grantee shall pay the City two thousand five hundred dollars (\$2,500) each quarter; in any calendar quarter where the Grantee fails to meet the applicable standard and performs at less than 80% of the time under normal operating conditions, Grantee shall pay the City five thousand dollars (\$5,000) each quarter. Nothing in this Section is intended to increase or modify Grantee's reporting requirements under the Franchise;

d. For violations of subscriber privacy pursuant to Section 2.1(t): an amount to be determined by the City, but not to exceed five thousand dollars (\$5,000) per event or occurrence, irrespective of the number of subscribers affected;

e. For failure to issue credits or refunds in a manner consistent with Section 3.3: fifty dollars (\$50) per day for each day or part thereof that such violation continues;

f. For failure to provide written information consistent with Section 3.5: fifty dollars (\$50) per day for each day or part thereof that such violation continues;

g. For failure to provide written notice of changes in prices, channel locations or other items required by Section 3.6: fifty dollars (\$50) per day for each day or part thereof that such violation continues;

h. For failure to make certain information available for public inspection as required by Section 2.1(g): fifty dollars (\$50) per day for each day or part thereof that such violation occurs;

i. For failure to comply with the reasonable build-out provisions in section 1.2 and for economic redlining in violation of section 1.3 above and 47 U.S.C. § 541(a)(3): Five Hundred dollars (\$500) per day for each day or part thereof that such violation continues; and

j. For any other failure of subscriber service standards: one hundred dollars (\$100) per day for each day or part thereof that such violation occurs.

(2) For violation of applicable operational standards:

a. for transfer of the Cable System without first seeking the City's approval under Section 2.1(e) in a manner consistent with federal regulations: five hundred dollars (\$500) per day for each day or part thereof that such violation continues;

b. for failure to supply PEG Access Channels required by Section 2.1(z): five hundred dollars (\$500) per day for each day or part thereof that such violation continues; and

c. for failure to maintain insurance under Section 2.1(i) or security under Section 2.1(k): two hundred fifty (\$250) per day for each day or part thereof that such violation occurs.

(3) For violation of applicable technical standards:

a. for failure to bring the system into compliance with FCC Technical Standards within forty-five (45) days of identification of noncompliance in reports filed with the FCC pursuant to 47 CFR 76.601 – 76.617: \$500 per day for each day or part thereof that such violation continues.

(4) For all other material violations of the Franchise: two hundred fifty dollars (\$250) per day for each day or part thereof that such failure occurs or continues.

The City reserves the right to pursue any non-monetary remedy, including but not limited to injunctive relief, in addition to or in lieu of any remedy available under this section. For purposes of this section, "material breach" means any substantial failure of Grantee to comply with the terms of this Franchise and any other rules, regulations and standards incorporated herein. A material breach for the purpose of assessing liquidated damages shall be deemed to have occurred for each day following the expiration of the period specified in Section 5.4(a)(B), that any material breach has not been cured by Grantee, irrespective of the number of subscribers affected.

(c) Effect on Duty to Comply. The collection of Liquidated Damages by the City shall in no respect affect:

(1) Compensation owed to Subscribers; or

(2) The Grantee's obligation to comply with the provisions of this Franchise or applicable law.

(d) Accrual. Except as otherwise provided in Section 5.4(a)(B), Liquidated damages accrue from the date the City notifies the Grantee that there has been a violation.

(e) Relationship of Remedies.

(1) Non-Exclusivity of Remedies. Subject to applicable law and Section 5(A)(a) of this Franchise, the remedies provided for in this Franchise, are cumulative and not exclusive; the exercise of one remedy shall not prevent the exercise of another remedy, or the exercise of any rights of the City at law or equity.

(2) No Election of Remedies. Without limitation, the recovery of amounts under the insurance, indemnity, bonding or Liquidated Damages provisions of this Franchise shall not be construed as a limit on the liability of the Grantee under the Franchise or an excuse of faithful performance of any obligation of the Grantee.

(f) Non-Waiver. Grantee shall not be relieved of its obligations to comply, promptly and completely, with any provision of the Franchise by reason of any failure of the City to promptly enforce compliance with this Franchise, nor does the City waive or limit any of its rights under this Franchise by reason of such failure or neglect.

(g) Cost Treatment of Liquidated Damages. No cost to Grantee arising from a breach or violation of the Franchise shall be recovered from Subscribers, shall form the basis for any adjustment to Subscriber rates or other Subscriber charges or shall be offset against any sums due the City as a tax, Franchise Fee or otherwise regardless of whether the combination of Franchise Fees and said costs exceeds five percent (5%) of Grantee's Gross Revenues in any twelve (12) month period.

Section 6. Miscellaneous Provisions

6.1 Severability. If any section, provision or clause of this Franchise is held by a court of competent jurisdiction to be invalid or unenforceable, or is preempted by federal or state laws or

regulations, the remainder of this Franchise shall not be affected, except as is otherwise provided in this Franchise.

6.2 Choice of Forum. Any litigation between the City and Grantee arising under or regarding this Franchise shall occur, if in the state courts, in Hennepin County District Court, and if in the federal courts, in the United States District Court for the District of Minnesota.

6.3 Force Majeure. Grantee shall have no liability to City for penalties or damages, nor shall City have the right to terminate this Franchise as a result of any failure or delay of Grantee to perform its obligations hereunder if such failure or delay is caused by factors beyond the control of Grantee, including without limitation, war, civil disturbance, flood or other Act of God, laws, regulations, rules or orders of any governmental agency, sabotage, work stoppages or strikes. In the event that delay in performance or failure to perform affects only part of Grantee's capacity to perform, then Grantee shall perform to the extent it is reasonably able to do so. In correcting any causes of non-performance or delay, and in effecting any partial performance, Grantee shall take all necessary corrective actions as expeditiously as possible without unduly endangering the health, safety and integrity of the Grantee's employees or property, or the health, safety and integrity of the public, the rights-of-way, public property or private property.

6.4 Notice. Unless otherwise agreed to by the parties, any notice provided for under this Franchise shall be sufficient if in writing and delivered personally to the following addressee or deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed as follows, or to such other address as the receiving party specifies in writing:

(a) Notices to Grantee shall be mailed to:

Qwest Broadband Services, Inc. d/b/a CenturyLink
1801 California St., 10th Flr.
Denver, CO 80202
Attn: Public Policy

with a copy to:

Qwest Broadband Services Inc., d/b/a CenturyLink
200 S. 5th Street, 21st Flr.
Minneapolis, MN 55402
Attn: Public Policy

(b) Notices to the City shall be mailed to:

Director of the Department of Communications
City of Minneapolis
350 South Fifth Street
Room 300M
Minneapolis, MN 55415
with a copy to:

Office of the City Attorney
350 South Fifth Street
Room 210
Minneapolis, MN 55415

(c) Grantee shall at all times keep the City advised as to which individual(s) are authorized to act on behalf of Grantee and whose acts will be considered to bind Grantee.

6.5 Binding Acceptance. This Agreement shall bind and benefit the parties hereto and their respective heirs, beneficiaries, administrators, executors, receivers, trustees, successors and assigns.

6.6 Governing Law. This Franchise Agreement shall be governed in all respects by the law of the State of Minnesota.

6.7 Captions and References. The captions and headings of sections throughout this Agreement are intended solely to facilitate reading and reference to the sections and provisions of this Agreement. Such captions shall not affect the meaning or interpretation of this Agreement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: Glidden (1)

The report and ordinance were adopted.

W&M - Your Committee, having under consideration the Executive Committee's reappointment of Christine Siewert as Civil Service Commissioner for a three-year term beginning March 1, 2015, and ending February 28, 2018, and having conducted a public hearing on the same, now recommends approval of said appointment.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee, having under consideration the Executive Committee's reappointment of Macey Wheeler as Civil Service Commissioner for a three-year term beginning March 1, 2014, and ending February 28, 2017, and having conducted a public hearing on the same, now recommends approval of said appointment.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of the legal settlement in the matter of Steven Skolasinski v. Officer James Bulleigh, (U.S. District Court Case No. 14-CV-4714) by payment of \$9,961 to Steven Skolasinski and his attorney, payable from Fund/Org. 06900-1500100-145400. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of the legal settlement in the matter of Kim P. Carter v. City of Minneapolis and Calvin Cook (United States Dist. Ct., D. Minn. Case No. 14-CV01107), by payment of \$79,000 to Kim Patrick Carter and his attorney, Zorislav Leyderman, payable from Fund/Org. 06900-1500100-145400. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of a waiver of any conflict of interest between the City of Minneapolis and Stinson Leonard Street (the "Firm") arising out of the Firm's proposed representation of the borrower for the issuance of conduit revenue bonds for the Jones Harrison Residence.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval to consent to the selection of Dorsey & Whitney LLP (the "Firm") to serve as bond counsel to the City for the issuance of Revenue Bonds (Fairview Health System), Series 2015 on behalf of Fairview Health System and initially purchased by Citibank and RBC Capital Markets. Further, approval of a waiver of any conflict of interest arising out of the Firm's proposed representation of Fairview, Citibank, RBC Capital Markets and the Metropolitan Airports Commission in matters unrelated to this transaction and future bond issuances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of the City Council appointment of Darryl A. Bullock (Ward 4) to Seat 2 on the Minneapolis Television Network Board to fill the unexpired term of Seth Goodlaxson for a term expiring January 15, 2017.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee, having under consideration OP No. 7782 relating to bids for waste hauling services for the Convention Center, now recommends that the proper City officers be authorized to extend Contract C-37095 with Allied Waste Service of North America, dba Republic Services of the Twin Cities, to year three of the three-year contract. Further, that the proper City officers be

authorized to execute an amendment to said Contract by increasing the amount by \$95,000, for a new total contract estimate of \$285,000, for waste hauling services for the third year of the contract.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-221 authorizing acceptance of 1st Quarter 2015 donations made to the City of Minneapolis valued under \$15,000.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-221
By Quincy

Authorizing acceptance of 1st Quarter 2015 donations made to the City of Minneapolis valued under \$15,000.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Donations to Minneapolis Animal Care & Control

2015 1st Quarter Donations Under \$15,000

Date	Donation	Location	<u>LAST NAME</u>	<u>FIRST NAME</u>
01/01/2015	\$ 1.00	DONATION WL	SHANNON	BRADEN
02/13/2015	\$ 1.00	DONATION WL	BAUER	ANN
02/23/2015	\$ 1.00	DONATION WL	KNUDSEN	JOHN
02/13/2015	\$ 2.00	DONATION WL	ADAMS	ANDREW
01/08/2015	\$ 2.00	DONATION WL	SANDLEY	NISSA
02/09/2015	\$ 2.00	DONATION WL	WANDER	NICOLE
03/19/2015	\$ 3.00	DONATION WL	AMARIS	VICTORIA
01/14/2015	\$ 3.00	DONATION WL	GOLDMAN	TERA/DAVID
01/31/2015	\$ 5.00	DONATION WL	CARLSON	DIANNE
02/05/2015	\$ 5.00	DONATION WL	KLECKLEY	RUSSELL
02/21/2015	\$ 5.00	DONATION WL	WARREN	JASMINE
01/16/2015	\$ 5.00	DONATION WL	HANNAH	GORDON
01/10/2015	\$ 5.00	DONATION WL	WEIGEL HARVISON	REBECCA &

MAY 15, 2015

01/08/2015	\$	5.00	DONATION WL	YOMOTA	KYLE
02/06/2015	\$	5.00	DONATION WL	LAWSON	MARI
01/29/2015	\$	5.00	DONATION WL	STEVENS	GREER
02/23/2015	\$	5.00	DONATION WL	BERNHART	RONALD
02/21/2015	\$	5.00	DONATION WL	OLSON	LISA
02/27/2015	\$	5.00	DONATION WL	LAPLANTE	LYNN
01/24/2015	\$	5.00	DONATION WL	SUNDERMAN	DAN
01/15/2015	\$	5.00	DONATION WL	GOLDSTEIN	RYAN
03/16/2015	\$	5.00	DONATION WL	ENGLUND	HARRIS
01/16/2015	\$	5.00	DONATION WL	SCHNEIDER	CHRIS
01/03/2015	\$	5.00	DONATION WL	CARRICO	DAVID
03/17/2015	\$	5.00	DONATION WL	BOHNHOFF	ANDREA
02/07/2015	\$	5.00	DONATION WL	SCHWARTZ	CHRIS
03/11/2015	\$	5.00	DONATION WL	CAIN	LAURA
03/30/2015	\$	5.00	DONATION WL	TURNER	THERESE
03/14/2015	\$	5.00	DONATION WL	STROMME	TIM
03/25/2015	\$	5.00	DONATION WL	YOUNG	TRISHA
02/19/2015	\$	5.00	DONATION	SMITH	KARLENE
03/23/2015	\$	5.00	DONATION WL	BALFOUR	MICHAEL
01/04/2015	\$	5.00	DONATION WL	TATSUDA	ANDREW
01/28/2015	\$	5.00	DONATION WL	CARLSON	JENNIFER
02/23/2015	\$	5.00	DONATION	BOSTROM	CHRISTINA B.
01/30/2015	\$	5.00	DONATION WL	SILVER	BRIAN
01/08/2015	\$	5.00	DONATION WL	SLETTEDAHL	AARON
01/11/2015	\$	5.00	DONATION WL	HIGGINS	COREY
01/24/2015	\$	5.00	DONATION	HIX	DAVID
01/19/2015	\$	5.00	DONATION WL	NAGORSKI	JULIE
01/03/2015	\$	5.00	DONATION WL	QUALLE	JENNIFER
01/03/2015	\$	5.00	DONATION WL	GWOST	DONNA
02/11/2015	\$	5.00	DONATION WL	BLESSING	ELIZABETH
02/22/2015	\$	5.00	DONATION WL	MYLES	TERRI
03/16/2015	\$	5.00	DONATION WL	PIERCE	SCOTT
02/09/2015	\$	5.00	DONATION	JATNIEKS	LYNN
01/14/2015	\$	5.00	DONATION WL	LARSON	GIRTS
02/13/2015	\$	5.00	DONATION WL	BUCHANAN	BRYCE
02/23/2015	\$	5.00	DONATION	BERMAN	MARY
02/02/2015	\$	5.00	DONATION	HERNING	SAMUEL
01/08/2015	\$	5.00	DONATION WL	COLEMAN	ALLYSSA
02/20/2015	\$	5.00	DONATION WL	MURRAY	ROBERT
03/18/2015	\$	5.00	DONATION WL	BEVIER	SUSAN
02/02/2015	\$	5.00	DONATION WL	CHRIST	ALBERT
03/06/2015	\$	5.00	DONATION WL	STROEVE	ERICA
01/25/2015	\$	5.00	DONATION WL	KIPPELS	JULIE
01/05/2015	\$	5.00	DONATION WL	MOE	ASHLEY
03/19/2015	\$	5.00	DONATION WL	SAMSON	ANN
02/13/2015	\$	5.00	DONATION WL	VIGIL	CECELIA
02/03/2015	\$	5.00	DONATION WL	GADDES	KATHY
					RICHARD

MAY 15, 2015

01/03/2015	\$	5.00	DONATION WL	WABNER	KATHY
01/09/2015	\$	5.00	DONATION WL	HADZIC	SENKA
03/04/2015	\$	5.00	DONATION WL	TABAKA	KATIE
03/06/2015	\$	5.00	DONATION WL	BOYD	JENNIFER
01/15/2015	\$	5.00	DONATION	MCDONOUGH	PAULA
02/07/2015	\$	5.00	DONATION WL	CARNEY	JAMES
03/16/2015	\$	5.00	DONATION	CHASE	STEVE
03/16/2015	\$	5.00	DONATION WL	RIBA	DEB
01/28/2015	\$	5.00	DONATION WL	MILLER	CAROL
03/31/2015	\$	5.00	DONATION WL	OSTRIN	VAARA
01/04/2015	\$	5.00	DONATION WL	CAIN	RUTH
02/23/2015	\$	5.00	DONATION	BARLET	MARY
					MARGARET
01/15/2015	\$	5.00	DONATION	GIFFORD	HEIDI
03/09/2015	\$	5.00	DONATION WL	ANDERSON	JEANINE
03/17/2015	\$	5.00	DONATION WL	WESTBY	ERIN
01/03/2015	\$	5.00	DONATION WL	NESS	NGA
02/10/2015	\$	5.00	DONATION WL	ELLIOTT	MELANIE
03/05/2015	\$	5.00	DONATION WL	BRAZIL	BONNIE
01/06/2015	\$	5.00	DONATION WL	BURKE	ROXANNE
03/08/2015	\$	5.00	DONATION WL	ROUTMAN	BRENT
03/05/2015	\$	5.00	DONATION WL	FOURNIER	CONNIE
03/23/2015	\$	5.00	DONATION WL	SLICHTER	HELEN
01/30/2015	\$	5.00	DONATION WL	PENA	JULIE
01/14/2015	\$	5.00	DONATION WL	MORALES	JANET
02/05/2015	\$	5.00	DONATION WL	JOHNSON	MARY
02/26/2015	\$	5.00	DONATION WL	FISHER	DEBBIE
01/16/2015	\$	5.00	DONATION WL	MIRKOVIC	VLADIMIR
01/06/2015	\$	5.00	DONATION WL	HELM	SHEILA
03/16/2015	\$	5.00	DONATION	BENTON	VERA
02/02/2015	\$	5.00	DONATION	FRENZEL	RITA
03/18/2015	\$	5.00	DONATION WL	BOGENER	TRAVIS
01/15/2015	\$	5.00	DONATION	MAYOTTE	DONNA
02/14/2015	\$	5.00	DONATION WL	SKORICK	LESLIE
03/07/2015	\$	5.00	DONATION	CLARK	SUSAN
02/25/2015	\$	5.00	DONATION WL	CHAPMAN	ROBERT
02/02/2015	\$	5.00	DONATION	BORGEN	JUDY
02/10/2015	\$	5.00	DONATION WL	LAWRASON	KURT
01/08/2015	\$	5.00	DONATION WL	LAYER	JAMES
02/23/2015	\$	5.00	DONATION WL	SCHWENDER	MARY KAY
01/31/2015	\$	5.00	DONATION WL	KALTER	CAROLYN
01/22/2015	\$	5.00	DONATION WL	GRAVES	KATHY
01/13/2015	\$	5.00	DONATION WL	HAPGOOD	MOLLY
02/09/2015	\$	5.00	DONATION	REYNOLDS	JENNIFER
02/23/2015	\$	5.00	DONATION WL	COLLINS	REBECCA
01/22/2015	\$	5.00	DONATION WL	LANG	MICHELLE &
					JERE
01/27/2015	\$	5.00	DONATION WL	SWANSON	SUSAN

MAY 15, 2015

01/27/2015	\$	5.00	DONATION WL	SWANSON	SUSAN L.
02/14/2015	\$	5.00	DONATION WL	FREEMAN	GREG
02/02/2015	\$	5.00	DONATION WL	TODD	MARSHALL
03/28/2015	\$	5.00	DONATION WL	URIBE	BRENDA
02/07/2015	\$	10.00	DONATION WL	OBRIEN	SEAN
02/26/2015	\$	10.00	DONATION WL	KAPLAN	SUSAN
01/10/2015	\$	10.00	DONATION WL	GAGE	PATRICIA
03/27/2015	\$	10.00	DONATION WL	GALT	CLOVER
01/14/2015	\$	10.00	DONATION	WALTER	ANN
01/14/2015	\$	10.00	DONATION	BRAEUNIG	KATHY
01/08/2015	\$	10.00	DONATION WL	TRELSTAD	MARK
03/16/2015	\$	10.00	DONATION	MEIER	MARGARET
02/05/2015	\$	10.00	DONATION WL	SEELY	KATE
03/22/2015	\$	10.00	DONATION WL	ROHWEDDER	CARLA
01/16/2015	\$	10.00	DONATION WL	KIDD	HEATHER
02/23/2015	\$	10.00	DONATION	TERRIAULT	MICHAEL
02/25/2015	\$	10.00	DONATION	FARRELL	CYNTHIA
03/30/2015	\$	10.00	DONATION	STLUKA	KATHY
03/17/2015	\$	10.00	DONATION WL	LOUGHRAN	LORCHID
03/21/2015	\$	10.00	DONATION WL	SHERMAN	CONNIE
02/19/2015	\$	10.00	DONATION WL	PULLES	NICOLE
02/24/2015	\$	10.00	DONATION WL	LESEDI	COLLEEN R
01/12/2015	\$	10.00	DONATION	WIRTH	CECILIA
01/15/2015	\$	10.00	DONATION	MILLER	DANIEL
03/12/2015	\$	10.00	DONATION WL	ANDERSON	JAMES
02/19/2015	\$	10.00	DONATION WL	PROBST	JOHN
02/19/2015	\$	10.00	DONATION WL	KNOCKE	LAURIE
01/17/2015	\$	10.00	DONATION WL	OLSON	RICHARD LEE
02/09/2015	\$	10.00	DONATION WL	EINESS	HOLLY
03/12/2015	\$	10.00	DONATION WL	LOJOVICH	CARL
01/15/2015	\$	10.00	DONATION WL	FEN	RUTH
01/10/2015	\$	10.00	DONATION WL	WOOD	FRANK
02/05/2015	\$	10.00	DONATION WL	JONES	WALTER
					WILLIAM
03/04/2015	\$	10.00	DONATION WL	NORBECK	SALLY & JAN
01/16/2015	\$	10.00	DONATION WL	LUKE	DAVID
02/27/2015	\$	10.00	DONATION WL	DAVIS	JAMES
03/17/2015	\$	10.00	DONATION WL	DEROCK	JOE
02/02/2015	\$	10.00	DONATION WL	HARTUNG	RYAN
03/01/2015	\$	10.00	DONATION WL	LIUDAH	DENNIS
01/29/2015	\$	10.00	DONATION WL	SASSEN	KRISTEN
01/03/2015	\$	10.00	DONATION WL	THOMAS JR	STEVEN
03/12/2015	\$	10.00	DONATION WL	MOROCCO	MARIE
01/07/2015	\$	10.00	DONATION WL	SICHERMAN	AL
01/29/2015	\$	10.00	DONATION WL	SCHMITZ	LAURA
01/12/2015	\$	10.00	DONATION WL	VONK	KATHRYN
03/07/2015	\$	10.00	DONATION	BRAGINSKY	ALEX
01/07/2015	\$	10.00	DONATION WL	VICTOR	KATHY

MAY 15, 2015

03/13/2015	\$	10.00	DONATION WL	GETSINGER	LEAH
01/10/2015	\$	10.00	DONATION WL	FRIDGEN	JANET
01/08/2015	\$	10.00	DONATION WL	JOHNSON	WENDY
01/05/2015	\$	10.00	DONATION WL	AHERN	VERONICA
01/13/2015	\$	10.00	DONATION WL	PENNINGS	KERRY
01/19/2015	\$	10.00	DONATION WL	STERLING	JANET
01/05/2015	\$	10.00	DONATION	BICK	LINDA
03/03/2015	\$	10.00	DONATION WL	PICONE	LINDA
01/24/2015	\$	10.00	DONATION WL	BALTHAZOR	PAMELA
01/28/2015	\$	10.00	DONATION WL	STEFFEN	JOHN K
03/10/2015	\$	10.00	DONATION WL	HAYES	MARSHA
02/23/2015	\$	10.00	DONATION WL	JOHNSON	SANDRA
02/22/2015	\$	10.00	DONATION WL	POLLACK	SCOTT
01/08/2015	\$	10.00	DONATION WL	HEILAND	LILLIAN
02/05/2015	\$	10.00	DONATION WL	BECK	PETER
02/19/2015	\$	10.00	DONATION WL	MICKELSEN	LYNNELL
02/23/2015	\$	10.00	DONATION WL	FICEK	JUDY
01/03/2015	\$	10.00	DONATION WL	KEARNS	LIAM
03/05/2015	\$	10.00	DONATION WL	JACOBSON	KATHLEEN
01/25/2015	\$	10.00	DONATION WL	NELSON	KIMBER
01/14/2015	\$	10.00	DONATION WL	PARKER	MICHAEL
01/20/2015	\$	10.00	DONATION WL	CROSS	CARLA
01/30/2015	\$	10.00	DONATION WL	DEHAUT	NICOLE
02/04/2015	\$	10.00	DONATION WL	GORR	HAESCHIK
02/09/2015	\$	10.00	DONATION	LARDIN	SANDRA
03/14/2015	\$	10.00	DONATION	ANDERSON	GARY
01/11/2015	\$	10.00	DONATION WL	CARLSON	ANDERS
01/08/2015	\$	10.00	DONATION WL	HUGHES	MARY
02/02/2015	\$	10.00	DONATION WL	SMITH	DEBORAH
03/13/2015	\$	10.00	DONATION WL	DEADY	MARK
03/16/2015	\$	10.00	DONATION	VENZKE	SUSAN
01/26/2015	\$	10.00	DONATION WL	KIVIPERTO	SHELLEY
03/26/2015	\$	10.00	DONATION WL	PETERSEN	MARY
01/05/2015	\$	10.00	DONATION	WOOFTRAX	INC
01/30/2015	\$	10.00	DONATION WL	HANNABIBUS	SUSAN
01/25/2015	\$	10.00	DONATION WL	SCHUBERT	NOELLE
01/05/2015	\$	10.00	DONATION WL	FRENZ	PAUL
02/17/2015	\$	10.00	DONATION	WIDHOLM	DELORES
02/21/2015	\$	10.00	DONATION WL	SHERER	ANGELA
03/28/2015	\$	10.00	DONATION WL	BERGDAHL	HEIDI
02/17/2015	\$	10.00	DONATION WL	STENSON	KATHERINE
01/04/2015	\$	10.00	DONATION WL	ELLISON	JENNIFER
01/22/2015	\$	10.00	DONATION WL	QUAST	EMILIE
02/06/2015	\$	10.00	DONATION WL	TENBENSEL	SARAH
01/13/2015	\$	10.00	DONATION WL	MCGLAMERY	JACQUELINE
03/23/2015	\$	10.00	DONATION	LYNCH	KRISTIN
02/07/2015	\$	10.00	DONATION WL	HOFFMAN	KELLY
03/01/2015	\$	10.00	DONATION WL	ARBEITER	JILL

MAY 15, 2015

01/24/2015	\$	10.00	DONATION WL	AARSVOLD	CHERYL
03/16/2015	\$	10.00	DONATION	LAWSON	ROSE
01/19/2015	\$	10.00	DONATION WL	KOEHLER	ROSE
02/09/2015	\$	10.00	DONATION	RAASCH	KARI
02/25/2015	\$	10.00	DONATION WL	PETERSON	RHONDA
02/17/2015	\$	10.00	DONATION	HANCOCK	LINDA
01/05/2015	\$	15.00	DONATION WL	BRANDT	SANDRA
01/15/2015	\$	15.00	DONATION	RUNNING	PATRICIA
03/07/2015	\$	15.00	DONATION WL	MCISAAC	EILEEN
02/07/2015	\$	15.00	DONATION WL	BATEMAN	MICHAEL
01/09/2015	\$	15.00	DONATION WL	SNELL	RONALD
01/26/2015	\$	15.00	DONATION WL	BIER	CHRISTINE
01/26/2015	\$	15.00	DONATION WL	ANDERS	ELIZABETH
03/02/2015	\$	15.00	DONATION	SATEREN	JUDI
02/08/2015	\$	15.00	DONATION WL	VORBECK	JASON
01/05/2015	\$	15.00	DONATION	FERBER	EDIE
01/18/2015	\$	15.00	DONATION WL	MYERS	PENNY
02/02/2015	\$	15.00	DONATION	SMITH	JULIA
01/14/2015	\$	15.00	DONATION	HWANG	SALLY
01/07/2015	\$	15.00	DONATION WL	BENDER	JOHN
02/18/2015	\$	15.00	DONATION	ORTIZ	MILTON
02/16/2015	\$	15.00	DONATION WL	BURNS	JOHN
03/26/2015	\$	15.00	DONATION	MCNAB	MADELINE
01/08/2015	\$	15.00	DONATION WL	BUHTA	RON
03/23/2015	\$	15.00	DONATION WL	HOWELL	GREGORY
03/12/2015	\$	15.00	DONATION	HARRIS	BARBARA
01/05/2015	\$	15.00	DONATION	GLESNE	SUSAN
01/05/2015	\$	15.00	DONATION	JOHNSON	THOMAS
02/07/2015	\$	15.00	DONATION WL	MEGARRY	CAROLE
01/03/2015	\$	15.00	DONATION	RESCUE	RUFF START
03/31/2015	\$	15.00	DONATION WL	MALLEY	BRENT
02/28/2015	\$	15.00	DONATION	ANDERSON	CHERYL
01/13/2015	\$	15.00	DONATION	CREWS	WILLIAM
02/17/2015	\$	20.00	DONATION	WILSON	ROBERT
02/09/2015	\$	20.00	DONATION	LACASSE	PIERRE
01/14/2015	\$	20.00	DONATION	RICHARDSON	BRIDGET
01/14/2015	\$	20.00	DONATION WL	BEDORE	CHRISTINE
03/23/2015	\$	20.00	DONATION	RIVARD	MIKE
01/04/2015	\$	20.00	DONATION WL	CAMPBELL	PEANUT
03/18/2015	\$	20.00	DONATION WL	BROWN	LINDA
02/08/2015	\$	20.00	DONATION WL	YAEGER	ROBERT
01/12/2015	\$	20.00	DONATION WL	MOON	WALTER
02/23/2015	\$	20.00	DONATION WL	MAKKYLA	CAROL
02/10/2015	\$	20.00	DONATION	NIBBE	MICHAEL
01/08/2015	\$	20.00	DONATION WL	WALSH	JODY
01/28/2015	\$	20.00	DONATION WL	KRAUZYK	STACY
02/17/2015	\$	20.00	DONATION WL	REINDL	KERRY
02/06/2015	\$	20.00	DONATION WL	FELDMAN	MARY ANN

MAY 15, 2015

03/08/2015	\$	20.00	DONATION WL	MORROW	SHAUNA
02/23/2015	\$	20.00	DONATION WL	SOMMERS	NIKKI
01/01/2015	\$	20.00	DONATION WL	DEROCK	JOE
02/04/2015	\$	20.00	DONATION WL	SNYDER	SARAH
01/04/2015	\$	20.00	DONATION WL	GERSTNER	SUSAN
01/18/2015	\$	20.00	DONATION WL	BACKES	JOHN
01/14/2015	\$	20.00	DONATION	PHAM	DANIEL
01/05/2015	\$	20.00	DONATION	RAMIREZ	JOHN
01/05/2015	\$	20.00	DONATION	AZZIVITTO	TROY
01/18/2015	\$	20.00	DONATION WL	KEBISEK	JULIE
01/14/2015	\$	20.00	DONATION	LEZHEPEKOVA	OLGA
01/14/2015	\$	20.00	DONATION	HAMILTON	TALEYA
01/08/2015	\$	25.00	DONATION WL	DILLON	BRIAN
02/19/2015	\$	25.00	DONATION WL	EGAN	AIMEE
01/23/2015	\$	25.00	DONATION WL	KINGHORN	LAUREL
03/30/2015	\$	25.00	DONATION	LANG	MARVIN
01/25/2015	\$	25.00	DONATION WL	COOK	ANDREW
02/22/2015	\$	25.00	DONATION WL	THORESON	PAUL & CHRIS
02/22/2015	\$	25.00	DONATION WL	JOHNSON	STEFANIE
01/05/2015	\$	25.00	DONATION	RIVARD	MIKE
01/16/2015	\$	25.00	DONATION WL	HEFTY	VIRGINIA
01/05/2015	\$	25.00	DONATION	TOMCZAK	JOANNE
02/04/2015	\$	25.00	DONATION WL	KEREMIDCHIEVA	ZORNITSA
02/14/2015	\$	25.00	DONATION WL	BOYD	ALICIA
02/07/2015	\$	25.00	DONATION WL	TROSCHINETZ/ARCAND	ALEXIS/BEN
01/14/2015	\$	25.00	DONATION WL	MAINS	BEVERLY ANNE
02/04/2015	\$	25.00	DONATION WL	KENNEDY	JULIE
03/21/2015	\$	25.00	DONATION WL	OLSEN	KRISTEN
01/25/2015	\$	25.00	DONATION WL	LIEDHOLM	JADENE
01/05/2015	\$	25.00	DONATION	YLVISAKER	JUDITH
01/08/2015	\$	25.00	DONATION WL	MEDIN	KIM
03/24/2015	\$	25.00	DONATION WL	ABBADIE	GIGI
01/24/2015	\$	25.00	DONATION WL	BRENNAN	DEIRDRE
01/19/2015	\$	25.00	DONATION WL	PALMQUIST	JILL
02/01/2015	\$	25.00	DONATION WL	SADOW	GRIF & JENNIFER
02/02/2015	\$	25.00	DONATION WL	MCCLEERY	STEPHANIE
01/20/2015	\$	25.00	DONATION WL	SULLIVAN	MARY
01/24/2015	\$	25.00	DONATION WL	DAY	HEATHER
01/04/2015	\$	25.00	DONATION WL	JOHNSON	SONYA
02/10/2015	\$	25.00	DONATION WL	CHERNER	TERRY
01/01/2015	\$	25.00	DONATION WL	HIGH	KENNETH
02/13/2015	\$	25.00	DONATION WL	STOCKBRIDGE	SALLY
01/16/2015	\$	25.00	DONATION WL	HOLICKY MICHAELS	KAREN
01/12/2015	\$	25.00	DONATION WL	BURNS	HEATHER
02/17/2015	\$	25.00	DONATION	LOVEJOY	SAM
01/15/2015	\$	25.00	DONATION	LOVEJOY	SAM
03/16/2015	\$	25.00	DONATION	LOVEJOY	SAM

MAY 15, 2015

01/05/2015	\$	25.00	DONATION	ANDERS	ELIZABETH
03/07/2015	\$	25.00	DONATION	MEISCH	ANN
02/12/2015	\$	25.00	DONATION WL	BASSETT	CAROLINE
01/29/2015	\$	25.00	DONATION WL	DEL CALZO	AMERICO
02/01/2015	\$	25.00	DONATION WL	GODFREY	SARAH
03/31/2015	\$	25.00	DONATION WL	ATSATT	CYNTHIA
02/20/2015	\$	25.00	DONATION	HALVORSON	MICHAEL
01/24/2015	\$	25.00	DONATION WL	RAMSEY	JESSICA
03/31/2015	\$	25.00	DONATION WL	CULLERTONSEN	CRYSTAL
01/15/2015	\$	25.00	DONATION	HOAK	ALICE
01/24/2015	\$	25.00	DONATION WL	OELFKE	JODI
01/15/2015	\$	25.00	DONATION WL	STANICH	ROBERT
02/20/2015	\$	25.00	DONATION WL	SHEELEY	KATHERINE
02/04/2015	\$	25.00	DONATION	HERBISON	PRISCILLA
03/09/2015	\$	25.00	DONATION WL	BRANDEL	AARON
01/26/2015	\$	25.00	DONATION	SICHERMAN	AL
03/07/2015	\$	25.00	DONATION WL	THORSON	ZACHARY
01/20/2015	\$	25.00	DONATION WL	NEWTON	JAMES
01/14/2015	\$	25.00	DONATION WL	WIESELER	BRET
02/01/2015	\$	25.00	DONATION WL	MARTINSON	CAROL
03/10/2015	\$	25.00	DONATION WL	LANGE	KEITH
01/21/2015	\$	25.00	DONATION WL	STAAB	JASON
03/16/2015	\$	25.00	DONATION	RUTT	ALICE
03/22/2015	\$	25.00	DONATION WL	MAGERS	MARY
02/08/2015	\$	25.00	DONATION WL	MELAND	PATRICIA
01/29/2015	\$	25.00	DONATION WL	BENSON	NANCY
01/16/2015	\$	25.00	DONATION WL	ANDERSON	CYNTHIA
03/18/2015	\$	25.00	DONATION WL	PARKER	NICHOLE
01/01/2015	\$	25.00	DONATION WL	MARSHALL	MARCIA K.
01/30/2015	\$	25.00	DONATION WL	SEVERNS	JANE
01/10/2015	\$	25.00	DONATION WL	JOHNSON	KEITH
01/12/2015	\$	25.00	DONATION	MOY GOTTFRIED	SAMANTHA
01/06/2015	\$	25.00	DONATION WL	CUTRI	STEVE
01/08/2015	\$	25.00	DONATION WL	DOUCETTE	PHIL
01/23/2015	\$	25.00	DONATION WL	SKOLER	REBECCA
03/06/2015	\$	25.00	DONATION WL	HARVEY	KIM
01/16/2015	\$	25.00	DONATION WL	BEGIN	SUZANNE
01/05/2015	\$	25.00	DONATION WL	ABELN	MARK
01/27/2015	\$	25.00	DONATION WL	CONNOR	MIKE
01/15/2015	\$	25.00	DONATION	IMHOLTE	RACHEL
02/17/2015	\$	25.00	DONATION	IMHOLTE	RACHEL
03/16/2015	\$	25.00	DONATION	IMHOLTE	RACHEL
01/05/2015	\$	25.00	DONATION WL	DILLIARD	MARCUS
02/02/2015	\$	25.00	DONATION	HOMMES	DONALD
01/21/2015	\$	25.00	DONATION	NORDSTROM	JON
03/05/2015	\$	25.00	DONATION WL	JOHANSEN	ERIK
01/10/2015	\$	25.00	DONATION	DIERCKS	MARY ANN
02/28/2015	\$	25.00	DONATION WL	REKKEDAH	ANN

MAY 15, 2015

01/05/2015	\$	25.00	DONATION	NEIMAN	SCOTT
02/12/2015	\$	25.00	DONATION WL	BRANDT	CHRISTIE
01/22/2015	\$	25.00	DONATION WL	VON KEITZ	MARC
02/10/2015	\$	30.00	DONATION	THURMAN	DIANE
02/09/2015	\$	30.00	DONATION WL	PULLING	CATHERINE
01/10/2015	\$	30.00	DONATION WL	NEAD	JAMES
02/08/2015	\$	30.00	DONATION WL	DEINARD	AMOS
01/05/2015	\$	35.00	DONATION	SIEMS	LINNY
01/15/2015	\$	35.00	DONATION	KELZENBERG	MICHAEELEN
01/12/2015	\$	35.00	DONATION	JOHANSEN	ERIK
01/07/2015	\$	40.00	DONATION WL	GALBRAITH	JANE
01/04/2015	\$	40.00	DONATION WL	HERSTEIN	TIM
03/19/2015	\$	45.00	DONATION	HAGLE	TARA
01/15/2015	\$	50.00	DONATION	BREUER	KATHLEEN
01/13/2015	\$	50.00	DONATION WL	MCADAM	JANE
01/07/2015	\$	50.00	DONATION WL	HAMILTON	HEIDI
01/14/2015	\$	50.00	DONATION	NIENOW	GERIANNE
01/05/2015	\$	50.00	DONATION	MEIER	MARGARET
02/26/2015	\$	50.00	DONATION WL	LYBECK	ALAN L & CINDY
01/08/2015	\$	50.00	DONATION WL	HAGSTROM	JAMES
01/05/2015	\$	50.00	DONATION	NELSON	MARIAN
01/15/2015	\$	50.00	DONATION	DONAHUE	DOLORES
01/09/2015	\$	50.00	DONATION WL	FRIDLUND	DAVID
01/23/2015	\$	50.00	DONATION WL	HOGQUIST	KELLY
01/05/2015	\$	50.00	DONATION	CAMPBELL	CAROL
01/05/2015	\$	50.00	DONATION	PROBST	JOHN
01/05/2015	\$	50.00	DONATION	BASSETT	CAROLINE
01/10/2015	\$	50.00	DONATION	HART	CATHERINE
03/02/2015	\$	50.00	DONATION	KAUFMANN	JEANETTE
01/05/2015	\$	50.00	DONATION	GRAY	ANGELA
02/04/2015	\$	50.00	DONATION	HANSON JR.	MORRIS
01/05/2015	\$	50.00	DONATION WL	DOUMA	SALLYE
01/12/2015	\$	50.00	DONATION	MCKEAN	ANNE
01/05/2015	\$	50.00	DONATION	BROOKSHIRE	VIJA
01/05/2015	\$	50.00	DONATION	SADLER	SHANNON
01/14/2015	\$	50.00	DONATION WL	GANNON	EMILY SUE
01/15/2015	\$	50.00	DONATION	NEMCHIK	KAREN
01/15/2015	\$	50.00	DONATION WL	FOREMAN	LINDA
03/25/2015	\$	50.00	DONATION WL	DEXTER	GAIL
03/20/2015	\$	50.00	DONATION	JOHNSON	NANCY
01/21/2015	\$	50.00	DONATION	CAMPBELL	PATTI
02/20/2015	\$	50.00	DONATION WL	ELLIOT	BRIAN
01/07/2015	\$	50.00	DONATION WL	ORR	HARRY
03/26/2015	\$	50.00	DONATION WL	COLLINS	MICHAEL
03/28/2015	\$	50.00	DONATION WL	HILDRETH	TRACEY
01/05/2015	\$	50.00	DONATION	ABELN	MARK
02/27/2015	\$	50.00	DONATION	GILLARD	LINCOLN
01/05/2015	\$	50.00	DONATION	ZIEGLER	KRIS

MAY 15, 2015

01/05/2015	\$	50.00	DONATION	FOSSE	KARI
02/02/2015	\$	50.00	DONATION WL	LEVITT	DAVID
01/21/2015	\$	50.00	DONATION	APPLEBAUM	WAYNE
01/26/2015	\$	50.00	DONATION	HOFFMAN	AMY
03/07/2015	\$	55.00	DONATION	KUSLEIKA	EDGAR
01/15/2015	\$	60.00	DONATION	COLBERG	MONICA
01/16/2015	\$	60.00	DONATION WL	MAHUTCHIN	BETH
03/23/2015	\$	75.00	DONATION	FITZGERALD	MAURA
02/11/2015	\$	75.00	DONATION WL	PETERSON	KURT
02/09/2015	\$	75.00	DONATION WL	WONDRA	CLAUDIA
02/28/2015	\$	75.00	DONATION	NORDIN	TERESA
01/02/2015	\$	75.00	DONATION WL	HUERTA	EDWARD
01/11/2015	\$	75.00	DONATION WL	KAHLE	CARLA
03/30/2015	\$	90.00	DONATION WL	JOOS	HEIDI
03/28/2015	\$	100.00	DONATION WL	GAILFUS	DEEA L.
01/01/2015	\$	100.00	DONATION WL	GREMILLION	LEE
02/17/2015	\$	100.00	DONATION	MCCULLOUGH	SAMUEL
01/12/2015	\$	100.00	DONATION	BERGESON	HELENE
				FERNANDEZ	
03/25/2015	\$	100.00	DONATION WL	GRANEY	ESTHER
03/30/2015	\$	100.00	DONATION	HELMEKE	KATHLEEN
01/05/2015	\$	100.00	DONATION	EDDY	PATRICE
03/16/2015	\$	145.00	DONATION	FORD	KIMBERLY
01/05/2015	\$	200.00	DONATION	HOLBROOK	JAMES
01/21/2015	\$	250.00	DONATION	AMANN	PAUL
01/05/2015	\$	250.00	DONATION	SERRANO	CAROLYN
01/12/2015	\$	500.00	DONATION	ROSEN	TONI
03/18/2015	\$	706.92	DONATION	INGELHEIM	BOEHRINGER
TOTAL		\$10,356.92			

2015 1st Quarter Donations Under \$15,000			
Name of Recipient Department	Name of Entity Making Donation	Description of Donation	Total
<i>Minneapolis Animal Care & Control</i>	Various individuals	Money for animal shelter	\$ 10,356.92
	See attached list	No restrictions	
<i>Health Department</i>	Health Partners	For consultant services by Gretchen Musicant	\$ 500.00
		on the ICSI Editorial	
		Advisory Committee	
		funded through	
		a Robert Wood Johnson	
		Foundation Grant.	

MAY 15, 2015

<i>Health Department</i>	Concerned Citizens of Marshall	To sponsor an additional	\$ 165.00
		canister for air quality	
		testing in the Marshall	
		Neighborhood as part of	
		our	
		two year air quality	
		study.	
<i>Police K9 Unit C/O Fleet Services</i>	Minneapolis Police K9 Foundation	Trailer	\$ 5,147.52
<i>Health Department</i>	American Heart Association	Caribou gift card in	\$ 10.00
		appreciation for work on	
		Healthier Beverage.	
<i>Health Department</i>	Juice So Good-Skyway	Donation of staff time	N/A
	Location	and juice for samples to	
		be provided to	
		participants of	
		Public Health Week	
		activities.	
TOTAL			\$ 11,021.92

Whereas, no goods or services were provided in exchange for said donations; and

Whereas, all such donations have been contributed to assist the city in the purposes stated, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donations offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are accepted and shall be used for public purposes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-222 establishing a hardship deferral program for special assessments and Repealing Resolutions 80R-365 and 93R-134.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-222
By Quincy

Establishing a hardship deferral program for special assessments and Repealing Resolutions 80R-365 and 93R-134.

Whereas, Minnesota Statutes Sections 435.193 through 435.195 grants cities the discretion to defer special assessments for certain individuals for whom payment would be a hardship; and

Whereas, Minnesota Statutes Section 435.193 states that hardship deferrals may be granted on homestead property to individuals who fit within one or more of these categories:

- a) Owned by a person 65 years of age or older;
- b) Owned by a person retired by virtue of a permanent and total disability; or
- c) Owned by a person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in section 190.05, subdivision 5b or 5c, as stated in the person's military orders; and

Whereas, the Council has determined that deferment of special assessments may be desirable for certain individuals;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City of Minneapolis special assessment hardship deferral program shall be an administrative process with the following rules:

1. The special assessment must be on homestead property owned by an individual who fits within one or more of the above categories.
2. The special assessment amount(s) to be deferred must total more than \$750 in aggregate.
3. No deferrals are allowed on one-year special assessments.
4. Interest on the deferred amount(s) shall accrue at the interest rate adopted for the related special assessment program.
5. The qualifying individual must sign an application that includes a sworn statement about their financial hardship and acknowledging that the special assessment payment is being deferred, not forgiven.
6. The Finance Officer shall sign qualifying documents granting approval of the hardship deferral and forward said documents to the Hennepin County Auditor for entry into the property tax rolls.

7. The deferment period shall end when an event listed in Minnesota Statutes Section 435.195 occurs, such as a sale of the property or loss of homestead status.

Be It Further Resolved that Resolution 80R-365 entitled "Establishing definitions of hardship when considering applications for deferment of special assessments for senior citizens", passed August 8, 1980, and Resolution 93R-134 entitled "Extending the Hardship Special Assessment Deferment to Persons Retired by Virtue of a Permanent and Total Disability", passed April 16, 1993, are hereby repealed.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to execute a contract with Canon Solutions America, Inc., in an amount not to exceed \$10,000 over a three-year term, for the support and maintenance of the Geographical Information Services (GIS) plotter. Further, authorizing the use of Canon's contract documents.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to execute an amendment to Contract C-32017 with Halogen Software Inc. by increasing the amount by \$125,921.25, for a new contract total amount not to exceed \$425,921.25 over the life of the contract, to provide system software to track, monitor and manage organizational and employee performance as part of the Enterprise Performance Management System.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee, having under consideration the Public Works Accident Vehicle Reporting System, now recommends that the proper City officers be authorized to:

a) Execute a two-year contract with Appendio, Inc. (CIP Reporting), in a total amount not to exceed \$50,000, for the Public Works Department to outsource their internal accident data collection and reporting.

b) Use Appendio's contract documents.

- c) Customize the liability terms and conditions of said contract.
- d) Granted the ability to terminate the contract for convenience after the first year term.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-223 accepting Travel Donation from Urban Sustainability Directors Network for the Energy Systems Transformation Conference.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-223
By Quincy

Accepting Travel Donation from Urban Sustainability Directors Network for the Energy Systems Transformation Conference.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set for the below to the City:

Name of Donor

Urban Sustainability Directors Network
Via an Innovations Fund Grant

Gift

Travel expenses for Gayle Prest, Manager of Environmental Programs, and Brendon Slotterback, Sustainability Program Coordinator, to attend the Energy Systems Transformation Conference in Boulder, Colorado; and

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the City in (public purpose of gift), as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are accepted and shall be used for travel related conference expenses.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-224 accepting Travel Donation from the Department of Energy for the Better Buildings Policy Summit

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-224
By Quincy

Accepting Travel Donation from the Department of Energy for the Better Buildings Policy Summit.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set for the below to the City:

Name of Donor
Department of Energy

Gift
Travel expenses for Brendon Slotterback, Sustainability Program Coordinator, to speak at the Better Business Buildings Policy Summit in Washington, DC; and

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the City in (public purpose of gift), as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are accepted and shall be used for travel related conference expenses.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-225 accepting Travel Donation from Carbon Neutral Cities Alliance for the Deep Greenhouse Gas Reductions Conference.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-225
By Quincy

Accepting Travel Donation from Carbon Neutral Cities Alliance for the Deep Greenhouse Gas Reductions Conference.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set for the below to the City:

<u>Name of Donor</u>	<u>Gift</u>
Carbon Neutral Cities Alliance	Travel expenses for Gayle Prest, Manager of Environmental Programs, and Brendon Slotterback, Sustainability Program Coordinator, to attend the Deep Greenhouse Gas Reductions Conference in Vancouver, Canada; and

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the City in (public purpose of gift), as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are accepted and shall be used for travel related conference expenses.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-226 accepting Travel Donation from Urban Sustainability Directors Network for the Community Sustainability Indicators Conference.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-226
By Quincy

Accepting Travel Donation from Urban Sustainability Directors Network for the Community Sustainability Indicators Conference.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set for the below to the City:

<u>Name of Donor</u>	<u>Gift</u>
Urban Sustainability Directors Network	Travel expenses for Gayle Prest, Manager of Environmental Programs, to attend the Community Sustainability Indicators Conference in Washington, DC; and

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the City in (public purpose of gift), as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:
That the donations described above are accepted and shall be used for travel related conference expenses.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The ZONING & PLANNING Committee submitted the following reports:

Z&P – Your Committee, having under consideration an appeal filed by Lora Grgich of the decision of the City Planning Commission denying the following land use applications to allow a third-story addition and roof top deck to a nonconforming four-plex for the property located at 4609 28th Ave S:

a) Expansion of a nonconforming use to allow a third-story addition to a four-plex in the R2B Two-family District.

b) Conditional use permit to increase the height of the building in the SH Shoreland Overlay District from 2.5 stories to 35 feet to 3 stories 35 feet.

- c) Variance to increase the floor area ratio of the building from .5 to .87.
- d) Variance to reduce the north interior side yard setback from 9 feet to 4.8 feet.
- e) Variance to reduce the south interior side yard setback from 9 feet to 4.9 feet.

Now recommends, notwithstanding staff recommendation, that said appeal be granted and that Findings of Fact and Recommendation prepared by the City Attorney on file in the Office of the City Clerk be adopted and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Ordinance 2015-Or-014 amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to Zoning Code: Residence Districts, amending the calculation of floor area ratio (FAR) for single and two-family dwellings.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-014
By Palmisano
Intro & 1st Reading: 2/13/2015
Ref to: Z&P
2nd Reading: 5/15/2015

Amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to Zoning Code: Residence Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 546.240 of the above-entitled ordinance be amended to read as follows:

546.240. - Building bulk requirements.

(a) In general. The maximum height for all principal structures, except for single- and two-family dwellings, located in the R1 District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single- or two-family dwellings located in the R1 District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-3, R1 Lot Dimension and Building Bulk Requirements.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

- (1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 2. That Section 546.300 of the above-entitled ordinance be amended to read as follows:

546.300. - Building bulk requirements.

(a) In general. The maximum height for all principal structures, except for single- and two-family dwellings, located in the R1A District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single- or two-family dwellings located in the R1A District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-5, R1A Lot Dimension and Building Bulk Requirements.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 3. That Section 546.360 of the above-entitled ordinance be amended to read as follows:

546.360. - Building bulk requirements.

(a) In general. The maximum height for all principal structures, except for single- and two-family dwellings, located in the R2 District shall be two and one-half (2.5) stories or thirty-five (35) feet,

whichever is less. The maximum height for all single- or two-family dwellings located in the R2 District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-7, R2 Lot Dimension and Building Bulk Requirements.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 4. That Section 546.420 of the above-entitled ordinance be amended to read as follows:

546.420. - Building bulk requirements.

(a) In general. The maximum height of all principal structures, except for single- and two-family dwellings, located in the R2B District shall be two and one-half (2.5) stories or thirty-five (35) feet in height, whichever is less. The maximum height for all single- or two-family dwellings located in the R2B District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-9, R2B Lot Dimension and Building Bulk Requirements.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 5. That Section 546.480 of the above-entitled ordinance be amended to read as follows:

546.480. - Building bulk requirements.

(a) In general. The maximum height of all principal structures, except for single- and two-family dwellings, located in the R3 District shall be two and one-half (2.5) stories or thirty-five (35) feet in height, whichever is less. The maximum height for all single- or two-family dwellings located in the R3 District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-11, R3 Lot Dimension and Building Bulk Requirements.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 6. That Section 546.530 of the above-entitled ordinance be amended to read as follows:

546.530. - Building bulk requirements.

(a) In general. The maximum height and the maximum floor area ratio of all principal structures located in the R4 District shall be as specified in Table 546-13, R4 Lot Dimension and Building Bulk Requirements.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story ~~thirty (30) forty-two (42) inches~~ or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the

maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 7. That Section 546.580 of the above-entitled ordinance be amended to read as follows:

546.580. - Building bulk requirements.

(a) In general. The maximum height and the maximum floor area ratio of all principal structures located in the R5 District shall be as specified in Table 546-15, R5 Lot Dimension and Building Bulk Requirements.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family

dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 8. That Section 546.630 of the above-entitled ordinance be amended to read as follows:

546.630. - Building bulk requirements.

(a) In general. The maximum height and the maximum floor area ratio of all principal structures located in the R6 District shall be as specified in Table 546-17, R6 Lot Dimension and Building Bulk Requirements.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Ordinance 2015-Or-015 amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts, amending the calculation of floor area ratio (FAR) for single and two-family dwellings.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-015
By Palmisano
Intro & 1st Reading: 2/13/2015
Ref to: Z&P
2nd Reading: 5/15/2015

Amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 547.240 of the above-entitled ordinance be amended to read as follows:

547.240. - Building bulk requirements.

(a) In general. The maximum height of all principal buildings, except for single- and two-family dwellings, located in the OR1 District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single- or two-family dwellings located in the OR1 District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof

shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 547-3, Lot Dimension and Building Bulk Requirements in the OR1 District.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 2. That Section 547.310 of the above-entitled ordinance be amended to read as follows:

547.310. - Building bulk requirements.

(a) In general. The maximum height and floor area ratio of buildings located in the OR2 District shall be as specified in Table 547-4, Lot Dimension and Building Bulk Requirements in the OR2 District.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one

hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 3. That Section 547.350 of the above-entitled ordinance be amended to read as follows:

547.350. - Building bulk requirements.

(a) In general. The maximum height and floor area ratio of buildings located in the OR3 District shall be as specified in Table 547-5, Lot Dimension and Building Bulk Requirements in the OR3 District.

(b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:

(1) Detached accessory structures.

(2) Open porches.

(3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

(4) Half story floor area.

(c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

(2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.

(d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, on motion by Gordon and Palmisano, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Zoning & Planning Committee:

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code (developing requirements for design of skyways):

- a) Chapter 535 relating to Regulations of General Applicability.
- b) Chapter 549 relating to Downtown Districts.

Pursuant to notice, on motion by Yang and Gordon, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Health, Environment & Community Engagement Committee:

Amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers (regulating sales).

Pursuant to notice, on motion by A. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 13, Chapter 267 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Amusements (repealing Article IX entitled Musical Jukeboxes).

Pursuant to notice, on motion by A. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 13, Chapter 296 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Hospitals (repealing Chapter 296).

Pursuant to notice, on motion by A. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 13, Chapter 299 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Ice Sale and Manufacture (amending and repealing selected provisions).

Pursuant to notice, on motion by A. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Public Safety, Civil Rights & Emergency Management Committee:

Amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses--Miscellaneous: In General (repealing Section 385.70 entitled Hats, conduct in theaters).

Pursuant to notice, on motion by Reich, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee for a public hearing to be held May 19, 2015:

Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses (amending provisions pertaining to off-sale malt liquor and distilled spirits sales regulations for brewers and micro distilleries).

On motion by Frey, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee for a public hearing to be held May 19, 2015:

Amending Title 14, Chapter 364 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Regulations (amending provisions pertaining to Sunday sales hours).

RESOLUTIONS

Resolution 2015R-227 recognizing Alzheimer's and Brain Awareness Month was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-227

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame, Goodman,
Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Recognizing Alzheimer's and Brain Awareness Month.

Whereas, June is Alzheimer's and Brain Awareness Month, and the Alzheimer's Association would like to ask for support in raising awareness of Alzheimer's; and

Whereas, simply by having a brain, every person in your community is at risk for developing Alzheimer's, a fatal disease that cannot be prevented, treated, or even slowed; and

Whereas, worldwide, there are at least 44 million people living with Alzheimer's and other dementias, and without a change, these numbers are expected to grow to 76 million by 2030; and

Whereas, Alzheimer's is the sixth-leading cause of death in the United States, and one in three seniors dies with Alzheimer's or another dementia; and

Whereas, almost two-thirds of Americans with Alzheimer's are women. Of the 5.1 million people age 65 and older with Alzheimer's in the United States, 3.2 million are women and 1.9 million are men; and

Whereas, only 45% of people with Alzheimer's disease or their caregivers report being told of their diagnosis, while over 90% of people with the four most common types of cancer have been told of their diagnosis;

Whereas, in 2014, friends and family of people with Alzheimer's and other dementias provided an estimated 17.9 billion hours of unpaid care, a contribution to the nation valued at \$217.7 billion. This is approximately 46 percent of the net value of Walmart sales in 2013 and nearly eight times the total revenue of McDonald's in 2013; and

Whereas, the Longest Day is a team event to raise funds and awareness for the Alzheimer's Association. Held annually on the summer solstice, the duration of this sunrise-to-sunset event symbolizes the challenging journey of those living with the disease, and their caregivers. Teams are encouraged to create their own experience as they fundraise and participate in an activity they love to honor someone facing the disease;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council declares the 21st day of June, 2015, to be National Alzheimer's and Brain Awareness Day in the City of Minneapolis and that the 35W Bridge be lit in purple on this day.

Resolution 2015R-228 recognizing honoring Community Covenant Church was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-228

**By Yang, Reich, Gordon, Frey, B. Johnson, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson and Palmisano**

Honoring Community Covenant Church for 50 Years of Service in the Near North Community.

Whereas, Community Covenant Church (CCC) has served as a community institution on the Near Northside of Minneapolis for more than 50 years, dedicated to building a diverse fellowship, giving a voice to the community, and serving with a particular focus on children and housing; and

Whereas, from its inauspicious beginning as a storefront mission sandwiched between two bars, CCC survived two condemnations and relocations within the community in the name of urban renewal before locating at 901 Humboldt Ave N in 1965; and

Whereas, CCC, in partnership with St. Stephens Episcopal Church of Edina, began Grant Community Nursery School as the first school readiness program for four year olds on the Northside in 1965, a no-cost program that continues to this day serving children in the community three days a week; and

Whereas, members of Community Covenant Church formed a Northside Habitat for Humanity chapter in the 1980s and today partner with Urban Homeworks, including in its work in the Lovell Square area on Irving Ave N, serving as a central location to host special community events and meetings; and

MAY 15, 2015

Whereas, CCC partnered with Prince of Glory Lutheran Church to form the Center for Communication and Development, leading to the founding of KMOJ as a community radio station for the residents of the Sumner Glenwood projects; and

Whereas, after an arson attack in 2013 forced a six month relocation and refurbishing of the building, Community Covenant Church is celebrating its 50th year on Humboldt Ave N throughout the month of May;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council declares May 17, 2015, to be Community Covenant Church Day in the City of Minneapolis.

Resolution 2015R-229 designating May 15, 2015, as Black Forest Inn Day in the City of Minneapolis was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-229

**By Bender, Reich, Gordon, Frey, B. Johnson, Yang,
Warsame, Goodman, Glidden, Quincy, A. Johnson, and Palmisano**

Designating May 15, 2015, as BLACK FOREST INN DAY in the City of Minneapolis.

Whereas, Erich and Joanne Christ opened the Black Forest Inn at 1 East 26th Street on May 15, 1965 in the Whittier neighborhood of Minneapolis; and

Whereas, the Black Forest Inn provides excellent, handmade food at an accessible price; and

Whereas, the Black Forest Inn established one of Minneapolis' first beer gardens in the mid-1970s; and

Whereas, the Black Forest Inn has always opened its doors to local artists, musicians, families, and visitors for an authentic German experience; and

Whereas, the Black Forest Inn played a critical role in establishing "Eat Street," a 17 block corridor with over 50 unique, authentic, and ethnic food experiences from independent and family-run businesses; and

Whereas, between May 15 and May 17, 2015, the Black Forest Inn will celebrate its 50th anniversary with music, beer, movies, and games, free and open to the public;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council, on behalf of the people of Minneapolis, hereby declares May 15, 2015, to be BLACK FOREST INN DAY in the City of Minneapolis.

Resolution 2015R-230 honoring the 2015 Rev. Dr. Martin Luther King, Jr. Essay Contest Winners was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-230

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Honoring the 2015 Rev. Dr. Martin Luther King, Jr. Essay Contest Winners.

Whereas, the Minneapolis Commission on Civil Rights was established in 1975 to implement Civil Rights policies through public information, education, mediation, conciliation, and adjudication; and

Whereas, the Commission provides leadership in the areas of civil rights and carries forward the policies of the City through the prevention and elimination of bias and discrimination; and

Whereas, the Rev. Dr. Martin Luther King, Jr. believed that liberty, justice, and freedom were the 'inalienable rights' of all men, women, and children, and that all people were equal in the sight of God and deserving of dignity and self-worth; and

Whereas, the Rev. Dr. Martin Luther King, Jr., a recipient of the Nobel Prize, became a national hero whose birthday has been declared a national holiday by his nation's government; and

Whereas, Rev. Dr. Martin Luther King Jr. inspired people and nations world-wide to strive in non-violent manners for the human rights, civil liberties, and economic guarantees rightfully due people of all races; and

Whereas, the Minneapolis Commission on Civil rights established the Annual Rev. Dr. Martin Luther King, Jr. Essay Contest in 2005 as an opportunity to continue and renew this endeavor through education; and

Whereas, all ninth, tenth, and eleventh grade students who reside in Minneapolis were eligible to participate by submitting one essay with their answers to this topic: Jokes or comments are commonly made, both accidentally and intentionally, at the expense of certain groups of people. Some individuals and organized groups actively work to stop hurtful speech. What could you do to stop these stereotypical/hurtful comments?; and

Whereas, the Minneapolis Commission on Civil Rights selected the following prize winners from each grade level:

9th Grade:

1st place:	Anna Kelley, Washburn High School
2nd place:	Ariya Cotton, Washburn High School
3rd place:	Raphael Malewiczl, Washburn High School

11th Grade:

1st place:	Destinee Moore, Patrick Henry High School
2nd place:	Za Vang, North Academy School of Arts and Communication;

MAY 15, 2015

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council honors and appreciates all of those students who participated in the 2015 Rev. Martin Luther King, Jr. Essay Contest, and gives special recognition to those who won 1st, 2nd, and 3rd places.

MOTIONS

On motion by Frey, the Community Planning & Economic Development staff were directed to pursue a comprehensive plan amendment to resolve the existing inconsistency in residential density ranges for the very high density category of land use, and to more accurately reflect the City's goals for growth and achievable density limits for that category.

NEW BUSINESS

Quincy gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Appendix H of the Minneapolis Code of Ordinances relating to Minneapolis Cable Communication Franchises (amending Comcast franchise provisions in accordance with the Franchise Settlement Agreement).

Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 14, Chapter 364 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Regulations (amending the provision pertaining to Sunday sales hours for establishments with on-sale licenses).

Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General (amending provisions related to late hours food and entertainment).

Goodman gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau (amending combustible contaminate levels relating to commercial hood and exhaust cleaning).

ADJOURNMENT

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk

INDEX

COMMITTEE OF THE WHOLE:

HUMAN RESOURCES (278334)

Receiving and Filing presentation on STAR Award Certificates of Commendation for Jennifer Kellogg (North Star Award), Roger Williams (City Star Award), and Kelly Umhoefer (Shining Star Award).

COMMITTEE OF THE WHOLE (See Rep):

INTERGOVERNMENTAL RELATIONS (278335)

Approving resolution reappointing Council Member John Quincy as the designated representative of the MSP Noise Oversight Committee and appointing Loren Olson, IGR staff, as the alternate, for terms to run June 26, 2015, through June 25, 2017.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278336)

Great Streets Business District Support Contracts: Authorizing CPED staff to negotiate contracts for business district support activities.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278337)

Land Sale (1418 Sheridan Ave N): Authorizing sale of property to City of Lakes Community Land Trust for \$1 plus reimbursement of City costs of \$5,415 subject to conditions.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278338)

Land Sale (2523 Washington St NE): Authorizing sale of property to Greater Metropolitan Housing Corporation for \$20,300, subject to conditions.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278339)

Land Sale (4039 Aldrich Ave N): Authorizing sale of property to Amy E. Holubar and Dawn M. Hunt for \$3,800, subject to conditions.

LICENSES AND CONSUMER SERVICES (278340)

Chowgirls Killer Catering (711 15th Ave NE): Application for an On Sale Liquor, Class B with Sunday Sales License (New Business) (See L&CS action).

LICENSES AND CONSUMER SERVICES (278341)

Cowboy Jacks (2919 Hennepin Ave): Application for an On Sale Liquor, Class C-2 with Sunday Sales License (New Proprietor) (See L&CS action).

LICENSES AND CONSUMER SERVICES (278342)

Lago Tacos Lynlake (2901 Lyndale Ave S): Application for an On Sale Liquor, Class E with Sunday Sales License and a Sidewalk Cafe License (Expansion of Premises and New License) (See L&CS action).

LICENSES AND CONSUMER SERVICES (278343)

Liquor, Business & Gambling License Applications: Department of Licenses & Consumer Services agenda recommendations for Liquor, Business & Gambling licenses.

LICENSES AND CONSUMER SERVICES (278344)

Nicollet Mall Sidewalk Cafe Agreement: Approving request to allow Sidewalk Cafes located on the Nicollet Mall to operate intermittently over the next two years during construction.

LICENSES AND CONSUMER SERVICES (278345)

Stinson Wine & Spirits (2315 18th Ave NE): Business operating conditions.

MAYOR (278346)

Family Housing Fund Board of Directors: Confirming Mayoral appointment of Senta Leff.

REGULATORY SERVICES (278347)

Rental Dwelling License (3324 23rd Ave S - owner Margot Kapacs): Recommending revocation of license.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278348)

Permit Fees Ordinance: Ordinance amending Title 5, Chapter 91, to discontinue the practice of having the refund processing fee tied to an annual rate increase, to establish the director's fee schedule with adjusted fees effective April 1, 2015, and remove the automatic annual minimum adjustment of three percent.

GRANTS AND SPECIAL PROJECTS (278349)

2015 Housing Opportunities for Persons with AIDS (HOPWA) Entitlement Grant: Approving funding from the City's 2015 HOPWA entitlement grant to Minnesota AIDS Project (MAP) not to exceed \$504,500, and to Metropolitan

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT:

COORDINATOR (278350)

Minneapolis Tree Advisory Commission: Annual Report.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT (See Rep):

NEIGHBORHOOD AND COMMUNITY RELATIONS (278351)

Minneapolis Senior Citizen Advisory Committee: Appointments.

NEIGHBORHOOD AND COMMUNITY RELATIONS (278352)

Senior Citizen Advisory Committee: Resolution changing name to Minneapolis Advisory Committee on Aging and modifying membership; and rescinding Resolution 99R-025 entitled "Restructuring the Senior Citizen Advisory Board" as amended.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS (See Rep):

HEALTH DEPARTMENT (278353)

Minneapolis Highrise Representative Council: Contract amendment.

PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS (See Rep):

POLICE DEPARTMENT (278354)

DWI Officer and Vehicle Grant Award: Authorizing a grant agreement to receive \$156,000 from the Minnesota Department of Public Safety for the Police Department to add a DWI Officer to the Traffic Unit and for the purchase of an equipped police vehicle.

POLICE DEPARTMENT (278355)

Video Analytics System for the Police Department: Authorizing an annual contract agreement with IBM in the amount of \$16,000, for the licensing, servicing and training of a video analytics system.

TAXES (BOARD OF EQUALIZATION) (See Rep):

CITY CLERK (278356)

2015 Minneapolis Board of Appeal and Equalization report.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (278357)

Hiawatha Golf Course Feasibility Study: Agreement with Minnehaha Creek Watershed District and Minneapolis Park and Recreation Board.

PUBLIC WORKS AND ENGINEERING (278358)

National Public Works Week: Resolution declaring the week of May 17, 2015, National Public Works Week.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS (See Rep):

PUBLIC WORKS AND ENGINEERING (278359)

8th St SE Street Reconstruction and Street Lighting Project No. 2283: Agreement with University of Minnesota.

PUBLIC WORKS AND ENGINEERING (278360)

26th St E and 28th St E Street Resurfacing Project No. 5277: Project approval and assessment public hearing.

PUBLIC WORKS AND ENGINEERING (278361)

Downtown Minneapolis Transportation Management Organization (TMO): 2015 grant agreements.

PUBLIC WORKS AND ENGINEERING (278362)

Minnehaha Ave Street Reconstruction Project No. 6754: Project approval and assessment public hearing; and Comments.

PUBLIC WORKS AND ENGINEERING (278363)

Nicollet Mall Street Reconstruction Project No. 9916: Project approval and assessment public hearing; and Comments.

WAYS AND MEANS (See Rep):

ATTORNEY (278364)

Legal Services regarding Fairview Health System: Consenting to the selection of Dorsey & Whitney LLP (the "Firm") to serve as bond counsel to the City for the issuance of Revenue Bonds (Fairview Health System), Series 2015 on behalf of Fairview Health System and initially purchased by Citibank and RBC Capital Markets; and Authorizing waiver of any conflict of interest arising out of the Firm's proposed representation of Fairview, Citibank, RBC Capital Markets and the Metropolitan Airports Commission in matters unrelated to this transaction and future bond issuances.

ATTORNEY (278365)

Legal Services regarding Jones Harrison Residence: Authorizing waiver of any conflict of interest between the City of Minneapolis and Stinson Leonard Street (the "Firm") arising out of the Firm's proposed representation of the borrower for the issuance of conduit revenue bonds for the Jones Harrison Residence.

ATTORNEY (278366)

Legal Settlements: Approving the legal settlement of Kim P. Carter v. City of Minneapolis and Calvin Cook (\$79,000).

ATTORNEY (278367)

Legal Settlements: Approving the legal settlement of Steven Skolasinski v. Officer James Bulleigh (\$9,961).

COMMUNICATIONS (278368)

Minneapolis Cable Communication Franchises: Ordinance amending Appendix H relating to Minneapolis Cable Communication Franchises by adding a new Chapter 2 granting a cable franchise to CenturyLink.

COMMUNICATIONS (278369)

Minneapolis Television Network Board Appointment: Approving the appointment of Darryl A. Bullock (Ward 4) to Seat 2 to fill the unexpired term of Seth Goodlaxson for a term ending expire January 15, 2017.

CONVENTION CENTER (278370)

Convention Center Waste Hauling Services: OP No. 7782, authorizing execution of an amendment to contract C-37095 with Allied Waste Service of North America (dba Republic Services of the Twin Cities) to extend to year three of the three year contract, and increasing the amount by \$95,000, for a new total estimate of \$285,000, to provide waste hauling services.

COORDINATOR (278371)

Travel Donation - Better Buildings Policy Summit: Accepting gift of travel expenses from the Department of Energy for Brendon Slotterback, Sustainability Program Coordinator, to speak at the Better Business Buildings Policy Summit in Washington, DC.

COORDINATOR (278372)

Travel Donation - Community Sustainability Indicators Conference: Accepting gift of travel expenses from Urban Sustainability Directors Network for Gayle Prest, Manager of Environmental Programs, to attend a conference in Washington, DC regarding community sustainability indicators.

COORDINATOR (278373)

Travel Donation - Deep Greenhouse Gas Reductions Conference: Accepting gift of travel expenses from Carbon Neutral Cities Alliance for Gayle Prest, Manager of Environmental Programs, and Brendon Slotterback, Sustainability Program Coordinator, to attend a conference in Vancouver, Canada regarding deep greenhouse gas reductions.

COORDINATOR (278374)

Travel Donation - Energy Systems Transformation Conference: Accepting gift of travel expenses from Urban Sustainability Directors Network via an Innovations Fund Grant for Gayle Prest, Manager of Environmental Programs, and Brendon Slotterback, Sustainability Program Coordinator, to attend a conference in Boulder, Colorado, regarding energy systems transformation.

EXECUTIVE COMMITTEE (278375)

Civil Service Commission Appointment: Approving the reappointment of Christine Siewert as Civil Service Commissioner for a three-year term beginning March 1, 2015, and ending February 28, 2018.

EXECUTIVE COMMITTEE (278376)

Civil Service Commission Appointment: Approving the reappointment of Macey Wheeler as Civil Service Commissioner for a three-year term beginning March 1, 2014, and ending February 28, 2017.

FINANCE DEPARTMENT (278377)

2015 1st Quarter Gift Acceptance: Accepting 2015 1st Quarter gifts.

FINANCE DEPARTMENT (278378)

Special Assessment Hardship Deferrals: Approving establishment of a hardship deferral program for special assessments and Repealing Resolutions 80R-365 and 93R-134.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278379)

Enterprise Performance Management System: Authorizing execution of an amendment to Contract C-32017 with Halogen Software Inc. by increasing the amount by \$125,921.25 for a new contract total amount not to exceed \$425,921.25 over the life of the contract, to provide system software to track, monitor and manage organizational and employee performance.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278380)

Geographical Information Services (GIS) Plotter: Authorizing execution of a contract with Canon Solutions America, Inc., in an amount not to exceed \$10,000 over a three-year term, for the support and maintenance of the GIS plotter; and Authorizing the use of Canon's contract documents.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278381)

Public Works Accident Vehicle Reporting: Authorizing execution of a two-year contract with Appendio, Inc. (CIP Reporting), in a total amount not to exceed \$50,000, for Public Works to outsource their internal accident data collection and reporting; Authorizing the use of Appendio's contract documents; Customizing the liability terms and conditions of the contract; and Authorizing the ability to terminate the contract for convenience after the first year term.

ZONING AND PLANNING:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278382)

Receiving and Filing a series of profiles for each Ward in the City of Minneapolis.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (278383)

4609 28th Ave appeal filed by Lora Grgich of the decision of the City Planning Commission denying a nonconforming use, conditional use permit, and three variances to allow a third-story addition and roof top deck to a nonconforming four-plex.

PLANNING COMMISSION/DEPARTMENT (278384)

Amending Title 20 of the Minneapolis Zoning Code of Ordinances related to the calculation of floor area of single- and two-family dwellings, as follows: Chapter 546 relating to Residence Districts, and Chapter 547 relating to Office Residence Districts.

MAY 15, 2015

FILED (See Rep):

HENNEPIN HEALTHCARE SYSTEMS - J.MICHAEL NOONAN (278386)

Vacation Application: Alley located mid-block on block bounded by 8th St S, Chicago Ave S, 9th St S and Park Ave S.

JOSEPH SMITH (278385)

Vacation Application: A small grassy triangular plot of land in Alley way north of garage of 2612 Robbins St.

Official Posting: 5/23/2015
Correction: 7/7/2015